

SECTION 2-102. DEFINITIONS.

For the purposes of these regulations, the following words and terms have the meanings specified in this Code:

A.A.S.H.T.O. means the American Association of State Highway and Transportation Officials.

Abutting means having property boundaries or lot lines in common with, but not being separated by a street or alley.

Accessory means a use, building or structure, or part of a building or structure which:

1. Is subordinate to and serves the principal building or structure or principal use;
2. Is subordinate in area, extent, or purpose to the principal building or structure or principal use served;
3. Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use;
4. Is located on the same lot as the principal building or structure or principal use served, with the exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot as the building or use served;
5. Is not a home occupation or storage for a business.

Adaptive Reuse means the process of adapting a building to a use other than that for which it was originally designed, such as a residence converted into offices. This may involve restoration and/or rehabilitation, and may be accomplished with varying changes to the appearance of the structure from minimal to major. (Ord. 4143 – 6/5/06)

Adjacent, Adjoining means abutting or being directly across a street or alley from.

Adult Uses means any place establishment or business which offers, advertises or is engaged in any activity, service, sale or display of any commodity which is prohibited by statute or ordinance to minors, or which otherwise forbids sales to, or excludes minors by virtue of age; adult uses shall include but are not limited to ~~massage parlors, tattoo parlors, body piercing parlors,~~ adult arcade, adult bookstore, adult motion picture theater and adult cabaret. (Ord.2746 - 6/5/95)

Aggrieved Party or Person means a person whose legal right has been invaded or infringed, or whose pecuniary interest is directly affected, by a government act complained of.

Alley means a private or public right-of-way which affords secondary means of vehicular access to abutting properties, but which does not include a street, utility easement or railroad right-of-way.
(6/06)

Alteration means any act or process which changes the "exterior architectural appearance" of an improvement or modifies a site designed for preservation as an historic landmark or within a historic

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preservation district.

Animal Hospitals, Boarding or Shelters – see animal services.

Animal Services means any business or establishment providing services to animals for a time period of more than four hours. Examples include:

1. Any premises ore then three domestic animals over one year of age are kept.
2. Any premises where one or more domestic animals are maintained, boarded, bred or cared for in return for remuneration, or are kept for the purpose of sale.
3. Animal Hospitals and Veterinarian Clinics
4. Kennels
5. Animal Shelters
6. Pet Shops
7. Animal Boarding

Any premises five (5) acres or more in area used for a single family detached dwelling, agricultural, institutional, or recreational use where more than three (3) such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered an animal hospital, kennel, boarding or shelter.

For animal services under four hours, see the domestic pet services definition.

Animal Run means a completely enclosed fenced area for the exercising and/or containment of a domestic animal.

Antenna means any structure or device used to collect or radiate electromagnetic waves, including both directional antennas, such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whips. (Ord. 3168 - 9/8/98)

Applicant means a person who has filed an application for development approval under the provisions of these regulations. See also petitioner.

Application For Development Approval means any application for approval of development under the provisions of these regulations.

Approach - See apron.

Apron means that portion of a privately maintained driveway lying within the dedicated street right-of-way or private street right-of way.

Archaeological Significance means importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Orland Park or previous periods of the present culture. Area, sites or landscapes of archaeological significance may include, but are not limited to, campsites, burial grounds, historic or prehistoric ruins, foundations, or other locations.

Architectural Feature, Exterior means the general arrangement and components of all of the outer surfaces of a building, structure, or object, including, but not limited to the color and texture of the building

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material and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to a building or structure. (Ord. 4143 – 6/5/06)

Architectural Significance means a historic building, structure or object that:
(Ord. 4143 – 6/5/06)

1. Is associated with a noted architect, builder or architectural firm whose individual work has influenced the development of the area; or
2. Is associated with the lives of persons significant in local, state or national past; or
3. Is one of the few remaining examples of a particular architectural style, period, or method of construction that was once prevalent and that reinforces the architectural significance of the area.

Array means a set of antennas for one service or service provider that is placed on a structure at a given height above ground, and spaced so as to avoid interval interference. An array is often ^(6/06) sectorized into three directions and separated vertically from another ~~service service=s~~ or another service provider's array when co-located on the same structure. (Ord. 3168 - 9/8/98)

Assisted Living Residence see congregate elderly housing. ~~means a dwelling consisting of a special combination of housing and personalized supportive services designed to respond to the scheduled and unscheduled needs of seniors who may need help with activities of daily living. (Ord. 3672 – 8/5/02)~~

Attention-Getting Device means a flag, propeller, spinner, streamer, search light or similar device or ornamentation which is designed or used for the purpose of promoting, advertising, or attracting attention for commercial purposes.

Automated Teller Machine (ATM) means an unmanned accessory device which dispenses cash.

Automobile means a two-axle motor vehicle, including a pick-up truck or van, designed and used primarily for the conveyance of not more than nine (9) persons.

Automobile Service Station see motor vehicle services. ~~means any building, structure, or lot used for one (1) or more of the following: (1) dispensing, selling or offering for retail sale, gasoline, kerosene, lubricating oil, or grease for the operation and maintenance of automobiles, including the sale and installation of tires, batteries and other minor accessories and services for automobiles; or (2) the business of repairing automobiles. This may include buildings or structures that are used for the retail sale and direct delivery to motor vehicles of cigarettes, candy, soft drinks and other related items for the convenience of the motoring public, and may include facilities for lubricating, minor repairs or otherwise servicing motor vehicles. Such establishment shall not include facilities for auto body work, car washing, welding, painting or major repair work.~~

Balcony means a platform which projects from the exterior wall of a building above the ground floor of the building, is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

Berm means a man-made hill or contour of land that acts as a landscaping or grading feature or that is intended as a visual and/or sound barrier between a lot and adjacent properties, alleys or streets. (Ord.

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3837 – 12/1/03)

Best Management Practice means an effective integration of stormwater management systems, with appropriate combinations of landscape conservation, enhancement, structural controls, impervious cover, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices that provide an optimum way to convey, store, and release run-off, in order to reduce peak discharge, remove pollutants, and enhance the environment.

Bicycle Lane means a portion of a roadway which has been designated by striping or signing and pavement markings for the preferential or exclusive use of bicyclists for recreational purposes.

Bicycle Path means a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.

Bicycle Route means any road, path, or way which in some manner is specifically designated with appropriate directional and informational markers, with or without specific bicycle route number.

Billboard means an off-premises free-standing identification sign.

Board of Trustees means the President and Board of Trustees of the Village of Orland Park.

Buffer means a combination of vegetation, fencing and open space which is used to separate land uses.

Bufferyard means the required installation of landscaping and screening materials between zoning districts and certain land uses.

Buildable Area see Net Buildable Area

Building means a temporary or permanent structure that has a roof supported by walls and which can be used to shelter, house, or enclose persons, animals or goods.

Building Facia or Wall means all window and wall area of a building in one plane.

Building Footprint means the horizontal area measured within the outside of the exterior walls of the ground floor of the main building.

Building Height means the vertical distance from grade plane to the average height of the highest roof surface. ~~the vertical distance from the average top of foundation to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between highest eave and highest ridge for gable, hip or gambrel roofs.~~ Chimneys, towers, spires, elevator penthouses, cooling towers and similar customary accessory structures and equipment, other than signs, shall not be including in calculating building height. (Ord. 3837 – 12/1/03)

Block means a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, or other lines of demarcation.

Bulk means the term used to indicate the size and setback of buildings or structures, and the location of buildings or structures with respect to one another, and includes the following: (a) size and height of

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buildings; (b) location of exterior walls at all levels in relation to lot lines, streets, or to other buildings; (c) floor area ratio; (d) all open space allocated to buildings; and (e) amount of lot area and lot width provided per dwelling unit.

Bulletin Board means a freestanding sign which displays public messages.

Business means an occupation, employment or enterprise which occupies time, attention, labor and materials, or wherein merchandise is sold or where services are offered.

Candlepower means the amount of light that will illuminate a surface one (1) foot distant from a light source to an intensity of one (1) footcandle. The maximum (peak) candlepower is the largest amount of candlepower emitted by a lamp, light source or luminaire.

Canopy or Awning means a permanent roof-like shelter which may be freestanding or extending from part or all of a building face and is constructed of some durable material such as metal, glass or plastic.

Capital Improvements Plan (CIP) means the plan for construction of public improvements adopted by the Board of Trustees pursuant to the provisions of Section 4-102 of these regulations.

Car Wash see motor vehicle services. ~~means a completely or partially enclosed building or structure for the washing of automobiles or other motor vehicles, either by automatic or semi-automatic means, whether or not in conjunction with other goods or services provided to customers.~~

Certificate of Appropriateness means a certificate from the Board of Trustees authorizing plans for alterations, construction, removal or demolition of an improvement(s) within its jurisdiction as defined by these regulations.

Clinic ~~see medical office. means any building or portion thereof, the principal use of which is for offices of one or more licensed physicians, ophthalmologists, dentists, veterinarians, psychologists or the like for the examination and treatment of persons on an out-patient basis only, but does not include medical rehabilitation centers.~~

Club or Lodge means a private, not-for-profit association, corporation, or other entity consisting of persons who are bona fide paying members and which owns, leases or uses a building or portion thereof, the use of such premises being restricted primarily to members and their guests.

Co-location means the placement of wireless communication equipment from more than one service or service provider on a single site. (Ord. 3168 - 9/8/98)

College means an institution providing full-time or part-time education beyond the high school level, including any dormitories, lodging rooms or other housing for students or faculty.

Commencement of Construction means the first placement of permanent evidence of a structure on a site pursuant to a duly issued building permit, such as the pouring of slabs or footings or any work beyond the stage of excavation, including the relocation of a structure. "Commencement of construction" does not include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling

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units or not a part of the main structure.

Commercial Living Unit means a building that includes commercial uses on the first floor and residential dwelling units above the first floor intended to be lived in by the owner of the commercial use. Sometimes referred to as a 'live work' unit.

Commercial Retail Establishment means a building, property, or activity the principal use or purpose of which is the sale of goods, products, or materials directly to the consumer. This includes, but is not limited to, clothing stores, appliance stores, bakeries, food stores, grocers, caterers, pharmacies, book stores, florists, furniture stores, hardware stores, pet stores, toy stores, and variety stores but does not include restaurants or personal service establishments.

Commercial Vehicle or Truck means a motor vehicle which has a gross weight in pounds, including vehicle and maximum load, in excess of 8,000 pounds and which is not primarily designed for carrying passengers.

Commission means the Plan Commission of the Village as established and described in Section 3-102 of these regulations.

Common Area means an area within a development conveniently accessible to all residents or occupants of the development, designed as a significant focus, centrally located, not including required setbacks, private open space, or impervious surface, designed to accommodate some group social functions.

Community Center means a building for social, educational and recreational activities of a neighborhood or community, including a social hall or lodge, not operated primarily for commercial purposes.

Comprehensive Plan means the plan adopted by the Board of Trustees pursuant to the provisions of Section 4-101 of these regulations.

Congregate Elderly Housing means a building or use housing more than one family, with or without separate dwelling units for each family, the occupancy of which is limited to persons who are at least 55 years of age (or, if two or more persons occupy a unit, at least one shall be 55 years of age or more), and which provide coordinated social and support services to residents, such as meals, housekeeping, laundry, recreation, education and transportation. This shall include a range of care levels from independent to assisted to skilled care. (Ord. 3070 - 10/20/97)

Conservation Easement means a recorded legal agreement between a landowner and a qualified conservation agency that transfers development rights from the owner to the agency to protect natural or historic features and includes a right to ensure the preservation of: (a) the significant physical character and visual characteristics of structures having architectural, historical, or cultural significance, together with any associated real property, whether or not improved; (b) land or water areas predominantly in their natural scenic, open or wooded condition, or as suitable habitat for fish, plants or wildlife; or (c) the integrity of archaeological sites and the artifacts or information which they may contain pending properly supervised excavation and investigation. The instrument conveying or reserving a conservation right may require, prohibit, condition, limit or control any or all of the following: (Ord. 3837 – 12/1/03)

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1. Access or public visitation;
2. Affirmative acts of alteration, restoration, rehabilitation, repair, maintenance, investigation, documentation, payment of taxes, or compliance with public law and regulations;
3. Conditions of operation, use, restoration, alteration, repair or maintenance;
4. Acts detrimental to the preservation of a place;
5. The alteration or removal of roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
6. The excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface or to otherwise alter the topography of the area;
7. The removal or destruction of trees, shrubs, or other vegetation;
8. Surface use inconsistent with preservation of water or land areas, or the improvement or appurtenance thereto;
9. Activities affecting drainage, flood control, water conservation, erosion control or soil conservation, or fish and wildlife habitat preservation; or
10. Any other acts or uses having relation to the preservation of structures, sites and water or land areas or the improvements or appurtenances thereto.

Construction means the act of adding to a building or structure that requires a building permit or the act of building a new improvement on a vacant parcel or site, including the building of an accessory structure.

Contiguous means abutting or adjoining.

Convenience Store means a retail store with a floor area of less than 5,000 square feet, which sells groceries and/or beer and wine, and is open 15 to 24 hours a day, but not including an automobile service station.

Cooperative Housing means a multiple-family dwelling where the housing units and common areas are collectively owned and maintained by the residents. This differs from a condominium dwelling where individual units are under separate individual ownership. (Ord. 4044 – 7/5/05)

Copy Area means the area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. For facia signs the copy area limits refer to the message, not to the illuminated background.

Critical and Sensitive Areas means those areas as defined and designated in the Comprehensive Plan of the Village of Orland Park.

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Cultural Center means an indoor or outdoor building or structure designed, intended or used primarily for musical, dance, dramatic or other performances, or a gallery operated primarily for the display, rather than the sale, of works of art.

Cultural Significance means the improvement or site is associated with and effectively illustrates broad patterns of cultural history characteristic of the nation, state or community. Cultural history is reflected in the following themes: education, arts and letters; science and engineering; law and medicine; philosophy; economics, humanitarian and social programs; recreational pursuits; business and industry; and ethnic settlement.

Culvert means a structure designed to carry drainage water or small streams below barriers such as roads or railway embankments.

Cutoff means a point at which all light rays emitted by a lamp, light source or luminaire are completely eliminated at a specific angle above the ground.

Cutoff, Angle means the angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

Cutoff-Type Luminaire means a luminaire with elements such as shields, reflectors or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety (90) degrees.

Day Care Center means an individual, agency or organization which regularly provides pre-school instruction or supervision and care on a regular basis for less than twenty-four (24) hours per day for one (1) or more children in a facility other than a detached dwelling, who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.

Day Care Home means any detached dwelling which receives more than four (4) but no more than eight (8) children for less than twenty-four (24) hours per day. The maximum of eight (8) children received shall be reduced in number by the family's natural or adopted children and all other persons under the age of fourteen (14) residing in the home. This does not include an operation which receives only children from a single family. The use must be licensed by or registered with the Illinois Department of Children and Family Services in accordance with the Child Care Act of 1969 (225 ILCS 10/1 et.seq.). (Ord.2860 - 3/18/96)

Dead Plant means vegetation lacking green leaves during the growing season, which cannot be rejuvenated by proper pruning practices. (Ord. 3281 - 8/16/99)

Deck means an open, outdoor flooring area for sitting and gathering, usually constructed of wood above the ground surface. (Ord. 3199 - 11/16/98)

Demolition means any act or process which destroys in part or in whole an improvement.

Density is defined as the number of dwelling units per Net Buildable Acres on the site. (Ord. 4096 - 12/5/05)

Detention means the temporary impoundment or holding of stormwater runoff. (Ord. 3837 - 12/1/03)

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Detention Basin/Dry Bottom Pond means a stormwater management facility which temporarily impounds runoff and discharges it through a hydraulic outlet structure to a downstream conveyance system. Since an extended detention basin impounds runoff only temporarily, it is normally dry during non-rainfall periods. (Ord. 3837 – 12/1/03)

Detention/Retention Facility means a facility which could be wet or dry, respectively and which provides for storage of storm water runoff and controlled release of this runoff during and after a flood or storm.

Developer means any person seeking approval under these regulations for any form of development.

Development means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the subdividing of land into two or more parcels.

1. Except as provided in subsection (3) hereof, for the purposes of these regulations, the following activities or uses shall be considered to involve "development:"
 - a. A reconstruction, alteration of the size, or material change in the external appearance of a structure on land or water.
 - b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
 - c. Alteration of the shore or bank of a pond, lake, river, or other waterway.
 - d. Commencement of drilling (except to obtain soil samples), mining, or excavation on a parcel of land.
 - e. Demolition of a structure which is designated on Exhibit 1 as an architecturally significant or historic structure.
 - f. Clearing of land, including clearing or removal of vegetation and any significant disturbance of vegetation or soil manipulation, but not including farming.
 - g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
2. "Development" includes all other activity customarily associated with it. When appropriate to the context, "development" refers to the act of developing or to the result of development of land within the Village and within one and one-half (1-1/2) miles beyond the corporate limits of the Village. Reference to particular operations is not intended to limit the generality of this definition.
3. For the purpose of these regulations the following operations or uses shall not be taken to involve "development:"

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- a. Except as provided in Section 5-111 of these regulations, work involving the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the color or decoration of the exterior of the structure or interior alterations that do not change the use for which the structure was constructed.
- b. Work involving the maintenance of existing landscaped areas and existing rights-of-way such as yards and other non-natural planting areas.
- c. Work involving the maintenance of areas of native vegetation through prescribed burns, selective removal of alien plant species or similar activities intended to upgrade the quality of areas of native vegetation.
- d. Work involving the installation of landscaping of a single family dwelling.
- e. A change in use of land or structure from a use within a specified category of use to another use in the same category unless the change involves a change from a use permitted as of right to one permitted as a minor or major special use or from a minor to a major special use.
- f. A change in the ownership or form of ownership of any parcel or structure.
- g. The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land unless otherwise specifically required by law.
- h. Demolition of buildings not listed on Exhibit 1 which shows historic and architecturally significant structures.

Domestic Pet Services means any business or establishment providing services to animals for a time period not to exceed four hours. Services may include grooming, training and short term veterinarian care.

Dormitory means a building containing kitchen and bathroom facilities available for common use by the residents of the building, which is occupied or intended to be occupied as the dwelling for more than six (6) persons who are not related by blood, marriage, or adoption but who are affiliated with or employed by the same educational, religious, or health institution, and which is not located on the principal lot occupied by that institution. "Dormitory" shall not include an overnight accommodation, residential-care home, or health institution.

Dripline means the outer perimeter of the largest branches or limbs of a tree or bush as measured on the ground around the base of the tree or bush.

Drive-In Service or Drive Through Service Window means a facility which is accessory to a commercial retail establishment, personal service establishment, office, financial institution, or fast-food restaurant and is designed or intended to enable a customer, without exiting a motor vehicle parked on or moving through the premises, to transact business with a person outside the motor vehicle.

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Driveway means a privately maintained access roadway serving a limited number of residential, commercial or industrial structures, buildings, or parking areas and providing access to a dedicated or private street.

Driveway Apron means that portion of the driveway located between the sidewalk and the street.

Driveway, Residential means a privately maintained access roadway serving no more than three dwelling units and providing access to a dedicated or private street.

Dwelling means a building or portion of a building designed or used exclusively for residential purposes, including single family and multiple family dwellings, but not including mobile homes or other trailers and lodging rooms in hotels, motels or lodging houses.

Dwelling, Attached means a dwelling unit that shares common walls with at least one (1) other dwelling unit, and includes multi-family dwelling units and townhouses.

Dwelling, Detached means a dwelling unit that is developed with open yards on all sides, but not including recreational or motor vehicles.

Dwelling, Multi-Family means four (4) or more dwelling units, including modular homes, attached along and sharing one (1) or more common walls between any two (2) units and/or stacked one above another.

Dwelling, Townhouse means an attached group of up to eight (8) dwelling units, including modular homes, which share one (1) or more common walls between any two (2) units and in which each unit has living space on the ground floor and in a separate entrance on the ground floor.

Dwelling Unit means one or more rooms which are arranged, designed, or used as living quarters for one family only. Individual bathrooms and complete kitchen facilities that are permanently installed to serve the entire family shall always be included within each dwelling unit.

Easement means a designated parcel of land on, over or under which a liberty, privilege or advantage of or use of land is recorded as distinct from ownership of the land and granted either to the public, a particular person or firm, or a combination of both.

Engineer, Registered Professional means a professional engineer registered under the provisions of "The Illinois Professional Engineering Act" and any act amendatory thereof.

Entryway Feature means a free-standing structure made of metal, masonry, composition, wood, or a combination thereof, including gates, resting on or partially buried in the ground, rising above ground level, and used to identify a particular development or subdivision. (Ord. 3199 - 11/16/98)

Environmentally Sensitive Lands means lands that are primarily characterized by the presence of wetlands, waterbodies, shorelines or slopes of greater than fifteen (15) percent and that are designated as such on Environmentally Sensitive Lands Map identified in the Village's Comprehensive Plan.

Erosion means the general process whereby soils are moved by flowing surface or subsurface water.

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Excavation means any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

Exterior Architectural Appearance means the architectural character, general composition and general arrangement of the exterior of an improvement, including the kind and texture of the building material and the type and character of all windows, doors, light fixtures, signs and architectural details such as brackets, cornices, and moldings, and appurtenant elements visible from public streets and thoroughfares.

Extraterritorial Jurisdiction means that land lying outside the corporate boundaries of the Village over which the Village has jurisdiction pursuant to Illinois law or boundary agreement with another municipality.

Facing means that a building has a wall approximately parallel to a public right-of-way line.

Family means an individual, or two or more persons related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four persons not related by blood, marriage or adoption, living together as a single housekeeping unit. (Ord. 3281 - 8/16/99)

Fence means a ~~free-standing permanent~~ structure made of metal, masonry, composition, or wood, or a combination thereof, including gates, ~~resting on or partially buried in the ground,~~ rising above ground level, and used to delineate a boundary or as a barrier or means of protection, confinement or screening. The term "fence" does not include arbors, trellises or ~~non-permanent garden decorations lower than three feet (3')~~.

Fence, Height means that height as measured from the existing grade level of the property on which the fence is installed to the highest point located on the fence. (8/99)

Fence, Open means a 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.

Fence, Perimeter means a fence that follows the outward boundaries of the property on which it is located.

Fence, Perimeter of means that outer most point as measured by a perpendicular line drawn along the edge of a fence facing outward and perpendicular to the ground.

Fence, Solid means a fence that conceals some view of adjacent property, streets or alleys and any and all activities conducted behind it, and includes gates.

Fill means any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting therefrom.

Financial Institution means a bank, savings and loan association or other similar entity or organization which provides retail/commercial transactional banking or other similar financial assistance which operates or has a place of business in the State of Illinois. (Ord. 3130 - 5/18/98)

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Finished Grade means the vertical location of the ground or pavement surface after the grading work is completed in accordance with the site development plan.

Flagpole means any freestanding flag pole or a joint use of another structure upon which to hang a flag.

Flood Plain means that land adjacent to a body of water with ground surface elevations at or below the 100-year frequency flood elevation.

Floor Area means the sum of the gross horizontal areas of each floor of the principal building, measured from the exterior walls or from the center line of party walls, including the floor area of accessory buildings and structures. The term does not include any area used exclusively for the parking of motor vehicles.

Floor Area Ratio (FAR) means the total floor area of the building or buildings on a lot or parcel divided by the gross area of the lot or parcel.

Food Concession means an accessory use to a principal use within an existing building where prepackaged foods, foods not prepared on site, or sandwiches made up on site from ingredients prepared off site are sold, where no cooking takes place said foods being for consumption on or off the premises. This category includes, but is not limited to employee cafeterias, theater concessions and recreational facility concession stands. Vending machine, alone, do not constitute a food concession. (Ord. 3354 – 4/17/00, Amd. Ord. 3672 – 8/5/02)

Food processing plant means a commercial operation that manufactures, packages, labels or stores food for human consumption and does not provide food directly to a consumer. Food processing plants do not include wineries or microbreweries.

Footcandle means a unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source on one (1) candle. (8/02)

Freestanding Wireless Communication Facility means a wireless communication facility that consists of a stand-alone tower, antennas and associated equipment. (Ord. 3168 - 9/8/98)

Frontage means the length of the property line on any one premises parallel to and along each public right-of-way it borders.

Fronting means that the front or primary entrance to a building or unit faces a public right-of-way line.

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, excluding onsite cremation.

Garage means a building designed for the storage of motor-driven vehicles, under the control of the owner or tenant of the premises and which is not operated or leased for commercial gain.

Glare means the brightness of a light source which causes eye discomfort.

Golf Course means a nine-hole or 18 hole course for playing golf, including any accessory driving

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range, clubhouse, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restroom facility or similar accessory use or structure. This term shall not include miniature golf courses as a principal or accessory use, nor shall it include driving ranges which are not accessory to a golf course.

Governmental Use means a building, use or structure (including a wireless communications antenna) owned or occupied by a federal, state, or local government agency and serving as an agency office, police station, fire station, library, post office, or similar facility, or an unoccupied facility providing a government service. But not including a vehicle storage yard, jail, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, hazardous waste treatment or storage facility, food irradiation facility, educational or health institution, university, military facility, residential care home, or housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations of criminal laws. (Ord. 4015 – 5/2/05)

Grade Plane means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

Grading means excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

Greenhouse means a permanent building with a foundation whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment.

Guyed tower means a tower that is tied to the ground or other surface by diagonal cables.
(Ord. 3168 - 9/8/98)

Half-story means a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four and one-half feet above the finished floor of the story immediately below. Maximum area of half-story shall not exceed 40% of habitable space of the floor/story below. (Ord. 3837 – 12/1/03) (5/05)

Health Club or Fitness Center means a privately-owned building, or enclosed structure **over 5,000 square feet**, containing recreational facilities, such as athletic or physical conditioning equipment, racquet courts, and/or a swimming pool, which is operated on a private membership basis and restricted to use by members and their guests.

Heritage Tree means any healthy tree that is twenty-four inches (24") in diameter, or greater, measured 4' from the ground, from any lot, developed or undeveloped.

Historic District means a geographic area designated as a "historic district" by ordinance of the Village Board and which contain within defined boundaries a significant collection of individual resources having historical, cultural and/or architectural significance at the national, state and/or local level, and which may have within its boundaries other buildings or structures, that, while not of such

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historical, cultural, or architectural significance, nevertheless contribute to the overall visual setting or characteristics of significant buildings located within the district. (Ord. 4143 - 6/5/06)

Historical Significance means:

1. The improvement has a strong association with the life or activities of a person or persons who have contributed to or participated in the historic events of the nation, state, or community.
2. The improvement is associated with an organization or group (whether formal or informal) from which they have contributed to or participated in the historic events of the nation, state, or community.
3. The improvement is associated with an antiquated use due to technological or social changes in the nation, state or community, such as but not limited to, a blacksmith shop, hitching post, brick street or wooden sidewalk, etc.
4. The improvement is a monument to or a cemetery of an historic person.

Home Businesses means a business, profession, occupation, or trade which is conducted within a residential portion of a building for the economic gain or support of a resident of the dwelling, and which is incidental and secondary to the residential use of the building. (Ord. 3672 –8/5/02)

Hospital means a public or private institution, whether organized for profit or not, which is devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of two (2) or more unrelated persons, whose principal residence is located elsewhere, and who are admitted for overnight stay or longer in order to obtain medical and/or psychiatric treatment of illnesses, diseases, injuries and deformities.

Hospital, Animal – see animal services. ~~means a public or private institution, whether organized for profit or not, which is devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of animals which are admitted for overnight stay or longer in order to obtain veterinary treatment for illnesses, diseases, injuries and deformities.~~

Illumination, Maximum means the maximum illumination measured in footcandles at the interior bufferyard line at ground level. (6/06)

Impervious Surface means a surface or ground cover that resists the absorption of surface water into the soil. Such surfaces include those constructed of stone, brick, asphalt, concrete, tile, terrazzo, gravel composite, or any other paving material, used for parking, driveways, patios, terraces, walkways, and the like, as well as areas covered by buildings, decks, porches, swimming pools, retention and detention basins (up to ~~the high water level~~ ~~normal water mark~~), and tennis courts. (Ord. 3672 – 8/5/02)

Improvement means any building, structure, object, parking facility, fence, gate, cemetery, wall, work of art or other object constituting a physical betterment of real property, or part of such betterment.

Independent Elderly Housing means a building housing more than one family, the occupancy of which is limited to persons who are at least 55 years of age (or, if two or more persons occupy a unit,

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at least one shall be 55 year of age or more) and generally capable of living on their own, which typically provide limited support services. (Ord. 3281 - 8/16/99)

Indoor Sports Business means a recreational facility within a building, such as indoor golf, gymnastics, basketball, etc., with spectator capacity under 50 persons. (Ord. 3199 - 11/16/98)

Industry, Light means the assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing does not exceed 25 percent of the floor area of all buildings on the lot. This includes research laboratories which are designed or equipped for basic or applied research or experimental study, testing, or analysis in the natural sciences or engineering, including any educational activities associated with and accessory to such research. This shall not include uses that constitute "heavy manufacturing," resource, extraction, or recycling and salvage operations.

Infrastructure Any physical system or facility that provides essential services, such as transportation, utilities, energy, telecommunications, waste disposal, drainage systems, sidewalks, roadways, sewer systems, water systems and other physical systems or facilities as generally described above that may not be specifically enumerated in this definition.

Interference means disturbances in reception caused by intruding signals or electrical equipment. (Ord. 3168 - 9/8/98)

Interior Property Line means property lines other than those fronting on street, roadway or highway.

Kennel ~~see animal services. means any premises or portion thereof on which more than three (3) dogs, cats or other household domestic animals over one year of age are kept, or on which more than two (2) such animals are maintained, boarded, bred or cared for in return for remuneration, or are kept for the purpose and sale, except any premises five (5) acres or more in area used for a single-family detached dwelling, agricultural, institutional or recreational use where more than three (3) such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered a kennel.~~

Lake or Pond means any inland waterbody fed by spring or stormwater drainage.

Land Development Code means Title ___ of the Village Code as amended.

Land Improvement includes, but is not limited to: any sanitary sewage system, water distribution systems, storm drainage systems, public utility systems, sidewalk systems, street systems, street lighting systems, pedestrian ways, no-access strips, off-street parking areas, and other improvements.

Landmark means any improvement or site which has special character or special historical, cultural, archaeological, and/or architectural significance as part of the development, heritage or cultural characteristics of the Village of Orland Park, the State of Illinois or the nation which has been designated as a "landmark" in compliance with the provisions of these regulations.

Landscaping includes trees, shrubs, flowers, vines, potted plants, ground cover, walkways, ponds,

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fountains, sculptures, earth berms, fences, stone, bark, and other materials used to create an outdoor environment.

Lattice Tower means a structure that is self-supporting with multiple legs and cross-bracing of structural steel. (Ord. 3168 - 9/8/98)

Light, Cutoff means an artificial outdoor light source designed to ensure that no light is directly emitted above a horizontal line parallel to the ground.

Light, Non-Cutoff means an artificial outdoor light source designed to allow light to be directly emitted above a horizontal line parallel to the ground.

Lighting, Outdoor means any artificial light source that is installed or mounted outside of a building, but not including street lights installed or maintained by the Village along public streets.

Loading Space means a space with access to a street or alley for the standing, loading, or unloading of motor vehicles delivering or picking up goods and materials.

Lot means a parcel of land legally described as a distinct portion or piece of land or lot of record under single unit control.

Lot, Buildable means a lot of record which after improvement shall conform with all the applicable District Regulations of the zoning district in which the property is located and the Bulk Regulations as listed in Section 6-301. (Ord. 2570 - 5/2/94)

Lot Coverage means a calculation, usually expressed as a percentage, of the total impervious and pervious surface on a parcel.

Lot, Corner means a lot which occupies the interior angle at the intersection of two street lines which make an angle of less than 135 degrees with each other.

Lot Line, Residential means a lot line bounding a lot that is located in a residential zoning district and occupied by a dwelling or dwellings.

Lot Lines means the property lines bounding the lot.

Lot of Record means a single lot which is part of a subdivision plat which has been recorded in the office of the Recorder of Deeds or Registrar of Titles of Cook County or Will County, Illinois, prior to the effective date of these regulations, or a single parcel of land, the deed of which has been recorded in the office of the Recorder of Deeds or Registrar of Titles of Cook County or Will County, Illinois, prior to the effective date of these regulations, both of which have been approved by the Board of Trustees.

Lot, Through or Double Frontage means a lot, other than a corner lot, fronting on more than one street.

Lot, Width means the distance between the side lot lines measured along the front right-of-way, however, lots fronting cul-de-sac bulbs shall have a minimum lot width of fifty (50) feet at the right-of-way line and meet zoning district lot width at the front setback, or if no front setback is required, the

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distance between the side lot lines measured along the street line. (Ord. 3672 – 8/5/02)

Luminaire means a complete lighting unit consisting of a light source and all necessary mechanical, electrical and decorative parts.

Map, Official means a map of the Village and its one and one-half mile jurisdiction drawn according to Ill. Rev. Stat. ch. 24, par. 11-12-6 and incorporated into Section 5-111 of these regulations by reference, on file with the Village Clerk and available at all times during business hours for public inspection.

Marina, means a commercial or club type of establishment that is designed and operated for profit, or operated by any club or organized group where hull and engine repairs, boat and accessory sales, packaged food sales, restaurants, personal services, fueling facilities, storage and overnight guest facilities and mooring facilities or any combination of these facilities is provided.

Marina, Private Noncommercial means a marina designed and intended to be used for mooring of boats by residents of the general neighborhood with noncommercial facilities other than those necessary for minor servicing and repairs.

Marquee means a roof-like structure that projects over an entrance to a building.

Medical Office means any building or portion thereof, the principal use of which is for offices of one or more licensed physicians, ophthalmologists, dentists, psychologists, physical, occupation and recreational therapists or the like for the examination and treatment of persons on an out-patient basis only, but does not include medical rehabilitation centers.

Medical Rehabilitation Center ~~see medical office. means any building or any portion thereof, the principal use of which is for offices and treatment facilities for physical, occupational and recreational therapists or the like for the examination and treatment of persons on an outpatient basis only, but does not include clinics or medical offices.~~

Microbrewery means a brewery producing less than 15,000 barrels per year and usually concentrating on exotic or high quality beer. The facility may also bottle, warehouse and distribute beer but may not provide product directly to a consumer

Mitigation means a system by which a developer causing some adverse agricultural, environmental, or fiscal impact is required to counterbalance that impact by creating an equivalent benefit through dedication, payments, offsets and alternative construction of self-imposed restrictions.

Mixed Use Building means a building that contains two or more of the following major use types: residential, office, or retail.

Mixed Use Development means a development that is comprised of a group of two (2) or more types of development, such as multifamily, commercial and retail, constructed on the same lot or parcel of land under single ownership, and planned and developed with a unified design of buildings and coordinated common open space and service areas in accordance with the zoning district in which it is located.

Mobile Home means a movable or transportable dwelling unit other than a modular home or

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manufactured home, of at least 8 feet in width and at least 32 feet in length, constructed to be transported on its own chassis and including one or more components that can be retracted for transporting the unit.

Monopole Tower means a type of self-supporting tower consisting of a single pole constructed of steel, wood, concrete, or other suitable structural material. (Ord. 3168 - 9/8/98)

Motor Vehicle means an automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land.

Motor Vehicle Services means any building, structure, or lot used for one (1) or more of the following:

1. Dispensing, selling or offering for retail sale, gasoline, kerosene, lubricating oil, or grease for the operation and maintenance of motor vehicles.
2. The business of maintaining motor vehicles including lubrication, tire and battery installation.
3. The business of repairing motor vehicles including minor and major repairs, auto body work, welding and painting.
4. Car washes, both automatic and self service.
5. Marine equipment sales, service or rental.

Such establishment shall not include facilities only selling or offering for retail sale, automotive parts or accessories provided that such establishment does not provide any service repair or installation.

Motor Vehicle Sales or Rental means any building, structure or lot used for the sales or rental of motor vehicles, either on site or through the internet. Includes any building or open area, other than a street or required automobile parking space, used for the display, sale or rental of new or used automobiles and where no repair work is done, except minor incidental repair of automobiles displayed, sold or rented on the premises.

Nameplate means a sign which displays only the name and/or street address of the occupant.

Natural Drainage means those channels formed by the existing surface topography of the earth prior to changes made by unnatural causes. (8/02)

Natural Landscaping means the practice of cultivating plants which are native to the bioregion without resort to artificial methods of planting and care such as chemical fertilizer, mowing, watering other than through natural processes (rain). (Ord. 3837 – 12/1/03)

Natural Vegetation means existing vegetation which provides habitat, erosion control and aesthetic qualities to the surrounding area. It may include non-native plant species.

Natural Watercourse means a channel formed in the existing topography of the earth prior to changes made by unnatural causes. Should a question arise as to whether a watercourse is natural, reference may be made to the earliest known existing aerial photograph.

Net Buildable Acres means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)

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1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;
2. 50% of land required for a Park or School dedication;
3. Perimeter road right-of-way dedication;
4. Floodplain that must be conserved;
5. Detention and retention areas up to the ~~high water level normal water level~~; and
6. Wetlands that must be conserved either by ~~Federal, State or Local requirements~~.

Net Buildable Acreage can include:

1. Private and common open space;
2. Internal roads, bikepaths and dedicated transitways;
3. Environmental and historic areas conserved that would otherwise be buildable; and
4. Underground utility easements that may be usable for yard space.

Nonconforming Building or Structure means any building or structure lawfully existing on the effective date of these regulations, or any amendment to it rendering such building or structure nonconforming, which does not comply with all of the standards of these regulations or any amendment thereto.

Nonconforming Use means any use lawfully being made of any land, building, or structure on the effective date of these regulations or any amendment thereto rendering such use nonconforming, which does not comply with all of these regulations or any amendment thereto. (12/05)

Nonconforming Vacant Lot means any lot of record which does not contain a use or building and which does not meet the minimum area or width requirements established in these regulations or any amendment thereto.

~~**Nontidal Wetlands** means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. (Ord. 2746 - 6/5/95)~~

Non-Village Communication Tower means any communication tower not under direct ownership of the Village of Orland Park such as existing towers operated by the Fire District or telecommunication companies. (Ord. 3168 - 9/8/98)

Nursery means land or greenhouses to raise flowers, shrubs and plants for sale.

Nursing Home ~~see congregate elderly housing. means a home for the elderly, chronically ill, infirm,~~

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~~or incurable persons, or a place of rest for those suffering bodily disorders, in which three (3) or more persons, not members of a family residing on the premises, are provided with food, lodging and medical care, but not including hospitals, clinics or life care communities (even though a life care community may include a nursing home as one of its components).~~

Object means a material thing of functional, architectural, cultural, historical or archaeological significance that may be, by nature of design, movable yet related to a specific setting or environment.

Office means a use or building where business is conducted which does not primarily involve the sale or transfer of goods by the business to the customer at that location. This includes, but is not limited to, general business offices, government offices, insurance offices, mortgage offices, credit unions, law offices and real estate sales and management offices. (Ord. 3130 - 5/18/98)

Open Space means any portion of a parcel or area of land or water which is open and unobstructed ~~from form~~ the ground to the sky including areas maintained in a natural and undisturbed character. The term "open space" shall not include water below the mean high water line, or areas covered with buildings, structures, sidewalks, patios, parking areas, except that fifty (50) percent of any area paved with permeable materials shall be considered "open space."

Open Space, Common means a parcel(s) of land or an area of water or a combination of both land and water located within a development site and designed and intended for the use and enjoyment of residents of the development or for the general public, but not including streets or off-street parking areas.

Ordinary Repair and Maintenance means activities considered common for maintaining a property in order to prevent deterioration, decay or damage to a building or structure, and for retaining the building or structure in its condition without such deterioration, decay or damage, using the same materials or materials which are, in appearance, as close as possible to the original. (Ord. 4143 – 6/5/06)

Outdoor Lighting means any light source that is installed or mounted outside of an enclosed building, but not including street lights installed or maintained along public streets by a government agency or public utility.

Outlot means a site suitable for a freestanding building on the periphery of a large complex. (Ord. 3672 – 8/5/02)

Outside, open market means the sale of any merchandise or goods from a fixed location upon privately owned property not within any permanent building or structure designed for the sale of such goods. The term "outside, open market" shall specifically include the sale of merchandise or goods from stands, stalls, vehicles, tents and all other sales not within a permanent structure. The term "outside, open market", however, shall not include activity of itinerant vendors who continuously move about from place to place, and who do not occupy any particular parcel of private property as a permanent or stationary place for the conduct of their business.

Outside Storage means overnight (or longer) placement, not in a building, of materials, equipment and/or vehicles other than employee and visitor parking. (Ord. 3837 – 12/1/03)

Overland Flow means stormwater run-off that is not confined by any natural or man-made channel, such as a creek, drainage ditch, or storm sewer. Involves the movement of run-off in a thin layer

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(usually less than 1 inch in depth) over a wide surface, which begins when the water ponded on the surface of the land becomes deep enough to overcome surface retention forces.

Overlay Plan means the plan containing development policies for a discrete area of the Village adopted by the Board of Trustees pursuant to the provisions of Section 4-103 of these regulations.

Overnight Accommodation means a facility offering transient lodging accommodations at a daily rate to the general public and which may also provide additional services, such as restaurants, meeting rooms and recreational facilities.

Owner means a person or persons recorded as such on official records and includes a duly authorized agency or notary, a trustee, a purchaser, or a devisee; any person having a vested or contingent interest in the property in question.

Parcel means any quantity of land and water capable of being described with such definiteness that its location and boundaries may be established as distinct from other parcels which are designated by their owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Park means a lot, or portion thereof, or aggregation of contiguous lots, used by the public for outdoor recreational activities, including any accessory office, picnic tables, maintenance building, restroom facility, storage facility, or similar accessory use or structure.

Parking Area means any area containing one or more parking spaces.

Parking Deck means a structure or building in which automobiles are parked on two or more levels or stories. This shall not include any parking area which is located within the same building as the use served by the parking area.

Parking Lot Island means a landscaped area surrounded by a parking lot on three (3) or more sides.

Parking Lot means a parking area that is open to the sky, but not including the uppermost level of a parking deck.

Parking Space means an area, enclosed or unenclosed, reserved for the parking of one motor vehicle, and which is accessible to and from a street or alley. (12/03)

Parkway means the area located within a public right-of-way between the outer curb line and the adjacent property line. ~~means a strip of land situated within the dedicated street right-of-way and (1) located between the roadway and right-of-way line or (2) a median located between the roadways.~~

Patio means an open, outdoor flooring area for sitting and gathering, usually constructed of pavement on the ground surface. (Ord. 3199 - 11/16/98)

Pavement Width means the distance from the edge of pavement to the edge of pavement, or where applicable, from the edge of curb to the edge of curb.

Person means an individual, corporation, governmental agency, business, trust estate, partnership, two or more persons having joint or common interest, or any other legal entity.

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Personal Service Establishment means an establishment primarily engaged in providing services involving the care of a person or his/her apparel, such as laundry cleaning and garment services, garment pressing, linen supply, diaper service, coin-operated laundries, dry cleaning plants, carpet and upholstery cleaning, photographic studios, beauty shops, tanning salons, barber shops, shoe repairs, day spas, hat cleaning, funeral services, reducing salons, travel agencies, postal agencies and clothing rental. Personal service establishments are required to have appropriate licensure as regulated by the State of Illinois.

Health Clubs and Fitness centers are considered personal service establishments if they are under 5,000 square feet.

~~business which provides personal services directly to customers at the site of the business, or which receives goods from or returns goods to the customer which have been treated or processed at another location. This includes, but is not limited to, travel agencies, dry cleaning and laundry drop-off and pick-up stations, tailors, hair stylists, cosmeticians, toning or tanning salons, postal substations, package delivery drop-off and pick-up stations, quick-print photo establishments, shoe repair shops, and interior design studios, and domestic pet services.~~

Pervious Pavement means a pavement system with traditional strength characteristics but which allows rainfall to percolate through it rather than running off. A pervious pavement system may include use of a porous asphalt, pervious concrete, or porous paver block system.

Petitioner means a person who has filed an application for development approval under the provisions of these regulations. See also applicant.

Place of Worship means a church, synagogue, temple, mosque or other place of religious worship, including any accessory use or structure, such as a school, day care center or dwelling that is located on the same lot.

Plan, Final means that document consistent with the approved preliminary plan of subdivision, which also includes easement provisions, other specialized provisions and signature lines for applicable parties, which is approved in accordance with Section 5-112(E) of these regulations.

Plan, Preliminary means the drawings and documents required by the Village and approved in accordance with Section 5-112(D) of these regulations.

Planned Development means a parcel or tract of land initially under unified ownership or control, and which is or is intended to be the site for two or more principal buildings or one or more principal use, or one principal building for two or more principal uses. The term "planned development" includes all County planned developments or planned unit developments and all planned developments, whether residential, commercial or otherwise in nature, regardless of whether an actual division of property is required or not, and regardless of whether it is specifically labeled a planned development or not, it being the intent of this Land Development Code to apply to all types of development, including planned developments, both within the Village of Orland Park and where applicable, to areas lying within one and one-half (1 1/2) miles of the corporate limits of the Village of Orland Park. A special use permit is required for all planned developments. (Ord. 3130 - 5/18/98)

Planned Development, Large Scale: means a parcel or tract or parcels or tracts of land of at least

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a combined total of 1,000 acres initially under unified ownership and control and which is or is intended to be the site for two or more principal buildings. (Ord. 2514 - 1/17/94)

Plat, Record means an approved final plan that has been recorded in accordance with the provisions of Section 5-112(F) of these regulations. (11/98)

Playground means a park which contains playground equipment.

Porch means a roofed over, unheated, flooring area for sitting and gathering, usually attached to a home and considered part of the home with respect to setbacks. (Ord. 3199 - 11/16/98)

Premises means a lot and all the structures or uses thereon.

Preservation Commission means the Historic Preservation Commission established in accordance with the provisions of Section 3-103 of these regulations.

Principal Building or Structure means a building or structure containing the principal use of the lot.

Principal Use means the primary purpose or function that a lot serves or is proposed to serve.

Project Area means any area of land, regardless of the number of individual parcels contained therein on which development is proposed under these regulations.

Public Right-of-Way Width means a perpendicular distance across a public street, measured from property line to property line. For the purpose of these regulations, the property line shall be the right-of-way as established by the Transportation Map of the Village's Comprehensive Plan.

Public Transportation Facilities means passenger terminals, stations, shelters and related facilities primarily intended for the transportation of commuters.

Public Utility Structure means an electricity or gas substation, water or wastewater pumping station, telephone repeater station or similar structure used as an intermediary switching, boosting, distribution or transfer station for electricity, cable television, or telephone services between the point of generation and the end user, or a private wastewater treatment plant, but not including satellite dish antennas, facilities for the handling of solid waste, or radio, television, or microwave transmission or relay towers.

Recreation Area means a building, open or enclosed structure, outdoor field or playground containing recreational facilities, such as a tennis court, swimming pool and/or gymnasium, and operated by a government agency or as a business. Recreation area includes outdoor amphitheaters, playing fields, tennis courts and swimming pools.

Recycling Center means an operation designed or intended for the collection and processing of clean, source-separated, and recyclable papers, glass, metals, or plastics, including the sorting, compacting, and shipping of recyclable materials collected from recycling drop-off stations located in the Village. This shall not include a facility which handles, collects, or otherwise stores or processes automobile bodies or parts, toxic or hazardous materials, or recyclable materials mixed with other refuse.

Rehabilitation means the act or process of returning a building, object, site or structure to a state

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of utility through repair, remodeling or alteration, which makes possible an efficient contemporary use while preserving portions or features of the property that are historically, architecturally, or culturally significant. (Ord. 4143 – 6/5/06) (6/06)

Removal means any relocation of an improvement on its site or to another site.

Residential Planned Development means a development comprised of attached and/or detached dwelling units that has coordinated common open space and service areas and is built in accordance with densities specified in the zoning district in which it is located.

Residential Use means any detached, duplex, townhouse, or multifamily dwelling, manufactured home, mobile home, residential-care home, boarding house, or dormitory.

Residential-Care Home means a dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term mental, intellectual, developmental or physical disabilities, and who are unable to live independently but are capable of community living if provided with an appropriate level of supervision, assistance and support services, but who do not require on-site medical or nursing facilities, with the primary goal of developing or exercising basic skills for daily living. This does not include dwellings for persons whose primary reason for placement in the dwelling is the abuse of alcohol or controlled substances, or the need for continuous nursing or medical care, or treatment for a communicable disease, or for persons who have recently been released from incarceration, or dwellings which serve as an alternative to incarceration for persons convicted of criminal offenses or declared criminally insane or dangerous.

Restaurant means an establishment, including banquet halls, that is open to the public where food and/or beverages are regularly prepared, consumed and sold:

1. At a table or counter within the premises;
2. For consumption at a table or counter outdoors, but located on the premises;
3. For consumption in automobiles or other motor vehicles located in parking areas on the premises; and
4. For consumption off the premises.

Food establishments that brew beer (also known as brewpubs) or distill wine for consumption primarily on the premises are considered restaurants provided that revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues

Restoration means the act or process of accurately recovering the form and details of a building, object, site or structure and its setting as it appeared at a particular period of time by means of the removal of later work or by the repair or replacement of missing earlier work. (Ord. 4143 – 6/5/06)

Retail Establishments means the sale of goods and services in small quantities to the public. (Ord. 3837 – 12/1/03)

Retention means the permanent storage of stormwater. (Ord. 3837 – 12/1/03)

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Retention Basin/Wet Pond means a stormwater management facility which includes a permanent impoundment, or normal pool of water, for the purpose of enhancing water quality and, therefore, is normally wet, even during non-rainfall periods. Storm runoff inflows may be temporarily stored above this permanent impoundment for the purpose of reducing flooding, or stream channel erosion. (Ord. 3837 – 12/1/03) (6/06)

Retention/Detention Facility means a facility which could be wet or dry, respectively (see definitions for descriptions), and which provides for storage of storm water runoff and controlled release of this runoff during and after a flood or storm.

Right-of-Way is a general term denoting a public way, usually in a strip, acquired for or devoted to access, utility or transportation purposes.

Right-of-Way, Official means the right-of-way as established by the Transportation Map of the Village's Comprehensive Plan.

Roadway means the portion of the highway or street, including shoulders, for vehicular use and bicycle use.

Rough Grade means the vertical location of the ground after the initial excavation or filling is completed prior to the commencement of construction.

Runoff means the portion of precipitation on the land that is not absorbed by the soil or plant material and which reaches the drainage system.

Satellite Dish means a signal-receiving device, the purpose of which is to reserve communication or other signals from satellites in earth, orbit and other extraterrestrial sources. The term includes earth stations, ground stations, disk antennas and antenna structures, as well as low-noise amplifiers which magnify, store, transfer and/or transmit electronic or light signals, and coaxial cables which carry or transmit signals to a television set or radio receiver.

School means a privately-owned or publicly-owned elementary school, middle school, junior high school, or high school which does not provide lodging for students.

School, Arts means a secondary or higher education facility primarily teaching skills in crafts and the fine arts and does not provide lodging or dwelling units for students or faculty.

School, Boarding means a privately-owned or publicly-owned elementary school, middle school, junior high school, or high school which provides lodging or dwelling units for students on the same property.

School, Vocational means a secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade or business and does not provide lodging or dwelling units for students or faculty. The term "vocational schools" does not include schools that teach repair skills for automobiles or other types of heavy machinery that require garage and/or outdoor work space.

Screening means structures, solid fences, or evergreen vegetation maintained for the purpose of concealing from view the area or objects behind such structures, solid fences or vegetation.

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Self-Service Storage Facility means a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods. (Ord. 3199 - 11/16/98)

Setback means the horizontal distance between any portion of a structure or any development activity and the bank of a perennial stream, the centerline of an intermittent stream, the ordinary high water mark of a lake or pond, and the edge of a wetland, measured at the structure's or development's closest point to the bank, centerline, ordinary high water mark, easement, property line, or other point on or near the site.

Setback, Corner Side means an open space between the side of a building or structure and a side lot line abutting a street. (Ord. 3070 - 10/20/97)

Setback, Front means an open space between a building or structure and the street line of the lot on which the building or structure is located, unoccupied and unobstructed from the ground upward, except by fences or as otherwise provided in these regulations. The front setback on a corner lot shall be that area with the narrowest street frontage. If neither frontage is narrower, the front shall be designated in the application, and shall usually be the less busy street. In measuring a front setback, the horizontal distance between the streetline and the closest projection of the building shall be used. Every required front setback shall be measured at right angles (90 degrees) from the street line.

Setback, Rear means an open space between the rear of a building or structure and the lot line farthest from the street fronting the lot, projected to the side lines of the lot on which the building or structure is located.

Setback, Side means an open space between the side of a building or structure and a side lot line which does not abut a street, projected to the front setback and rear setback of the lot on which the building or structure is located. (Ord. 3070 - 10/20/97)

Sight Triangle means the area of the corner lot closest to the intersection which is kept free of visual impairment to allow full view of both pedestrian and vehicular traffic. (Ord. 3837 - 12/1/03)

Sign means any object, device, display or structure, or part thereof, which is used primarily to advertise, identify, display or direct or attract attention to an object, person, establishment, product, service, event or location by any means including, without limitation, words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, visible beyond the boundaries of the lot or parcel on which they are situated or visible from any public thoroughfare or right of way. This includes, but is not limited to, wall signs, freestanding signs, ground signs, window signs, awning or canopy signs, marquees, changeable copy signs, message boards, illuminated signs, moving signs, temporary signs, portable signs, pennants, banners, streamers or any other attention-getting device, flag, or other display, whether affixed to a building or erected elsewhere on the premises. The term "sign" excludes those features of a building which are an integral part of the building's design and structure.

Sign, Animated means any sign which includes action or motion.

Sign, Banner means a temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted to a permanent structure.

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Sign, Canopy or Awning means any sign which is affixed to, painted on or suspended from a roof-like shelter, either permanent, retractable, or removable, which is self-supporting and provides protection from sun, rain, snow and other elements. (12/03)

Sign, Copy, Changeable or Message Board means a time and temperature sign on which the copy changes automatically on a lampbank, or any sign whose copy is changed manually in the field in or upon the surface area of the sign. (Ord. 2746 - 6/5/95)

Sign, Directional means a sign which directs or guides persons to an establishment or to facilities intended to serve the public, including entrances, exits, restrooms, public telephones, walkways, parking areas, full-service and self service gasoline pumps, and similar facilities, but which does not identify the establishment itself or other goods or services available at the establishment and does not contain other advertising messages.

Sign, Flashing means any sign which contains an intermittent or flashing light source, or which produces the illusion of intermittent or flashing light.

Sign, Freestanding means a sign which is completely or principally supported by one (1) or more post or other support of which 30% is visually or physically attached to the ground, which is not attached to the principal building on the property, and is anchored in or upon the ground. This shall include, but not be limited to, signs attached to poles or supports for lights, canopies, and other items or structures. (Ord. 3281 - 8/16/99)

Sign, Height means the vertical distance measured from the natural grade at the base of the sign support to the highest point of the sign.

Sign, Hologram means a three-dimensional picture that is made on a photographic film or plate without the use of a camera, that consists of a pattern of interference produced by a split coherent beam of light and which for viewing is illuminated with a coherent light from behind.

Sign, Identification means a sign which states the name of the business or establishment, including either the national company or local proprietor, and/or the address of a building.

Sign, Illuminated means any sign which emanates light either by means of exposed tubing or lamps on its surface or by means of illumination transmitted through the sign lettering only. (Ord. 2959 - 11/18/96)

Sign, Indirectly Illuminated means any sign which reflects light from a source intentionally directed upon it, for example by means of a flood light.

Sign, Nonconforming means any sign which was lawfully erected and maintained prior to the adoption and effective date of these regulations and any amendments hereto, which fails to conform to all applicable regulations and restrictions of this Code, or a sign previously deemed to be nonconforming for which a special permit has been issued.

Sign, Off-Premises (Off-Site Sign) means any sign that identifies a business, person, activity, goods, products, services or facilities or that directs persons to a different location from where the sign is located.

Sign, On-Premises (On-Site Sign) means any sign that identifies a business, person, activity,

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goods, products, services or facilities that is located on the same premises as the sign itself.

Sign, Portable means any sign that is not permanently attached to the ground, a structure, or a building and which is designed to be transported to another location.

Sign, Projecting means any sign that is attached to a wall in a perpendicular manner.

Sign, Public means a sign of a non-commercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of a public duty, such as official signs and notices of any public or governmental agency, or erected by or on the order of a court or public officer, including official traffic signs authorized by the Illinois Revised Statutes or the Illinois Vehicle Code.

Sign, Temporary means a sign which contains information which is not of a permanent character. Such signs include, but are not limited to, political signs, garage sale signs and real estate signs.

Sign, Wall or Facia means any sign attached to or erected against a wall of a building or structure with the exposed face of the sign in plane approximately parallel to the plane of the wall.

Sign, Window means a sign that is installed inside, painted upon or placed against a window for purposes of viewing from outside the premises, not including merchandise located in a window display.

Sign Area means the entire area of all sign faces, cumulatively, including sign faces on which no copy is currently displayed.

Sign Face means that part of the sign which is or can be used to identify, to advertise, to communicate information, or for visual representation which attracts the attention of the public for any purpose. This shall include any background material, panel, trim, color, and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface, or object upon or against which it is placed. This shall not include any portion of the support structure for the sign, provided that no message, symbol, or any of the aforementioned sign face criteria is placed on or designed as part of the support structure.

Site Grading or Stripping means any activity which removes or covers the vegetative surface cover including tree removal, clearing, filling or removal of topsoil.

Soil Erosion Control Plan means a plan submitted by a person requesting issuance of a site development permit from the Village for the construction or alteration of ground improvements and structures for the control of erosion, runoff and grading.

Solid Screen means either an earth berm, hill, solid wood fence, wall or a densely planted row of shrubs that cannot be seen through in any season.

Stadium means a structure or facility designed, intended, or used primarily for athletic events and containing seating for spectators of those events, but not including a raceway or dragstrip.

Stormwater Management means the reduction of the quantity or rate of runoff, which affects flooding, or the reduction of pollutants generated at a development site and carried in stormwater.

(Ord. 3837 – 12/1/03) (12/03)

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Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above it, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. The floor of a story may have split levels provided that there is not more than a four foot difference in elevation between the different levels of the floor. A mezzanine floor shall be counted as a story when it covers more than one-third the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more. "Story" shall not include any such area having part of its ceiling height below grade.

Stream means an open body of running water flowing continuously or intermittently. Perennial and intermittent streams are designated in accordance with 7.5 minute topographic maps of the U.S. Geological Survey.

Street means that portion of a public right-of-way, easement, or private easement which is improved to provide for the movement of motor vehicles. (Ord. 2570 - 5/2/94)

Street, Arterial, Major means a street or roadway classification which has as its primary function intercommunity and intrametro area traffic movement. The secondary function of this roadway is to provide access to land. Major arterials include, **but are not limited to**, LaGrange Road, Harlem Avenue, Wolf Road (south of 159th Street), 159th Street and 183rd Street.

Street, Arterial, Minor means a street or roadway classification which has as its primary function intercommunity traffic movement. The secondary function of this roadway is to provide access to land. Minor arterials include, **but are not limited to**, 135th Street, 143rd Street, 151st Street (east of LaGrange Road and west of Harlem Avenue), 151st Street (between Wolf Road and Will-Cook Road), 153rd Street (between Wolf Road and LaGrange Road), 167th Street, 179th Street, 80th Avenue (south of 151st Street), 82nd Avenue (135th Street to 151st Street), Wolf Road (north of 159th Street), Will-Cook Road, and Southwest Highway. (Ord. 3354 - 4/17/00)

Street, Collector, Major means a street or roadway classification, which has as its primary function to collect and distribute traffic between local streets and the arterial system. The secondary function of this roadway is to provide access to land. The tertiary function of this roadway is to provide traffic movement between neighborhoods. Major collectors include, **but are not limited to**, 94th Avenue, 104th Avenue, 108th Avenue, Ravinia Avenue, West Avenue and John Humphrey Drive. (Ord. 3672 - 8/5/02)

Street, Collector, Minor means a street or roadway classification which has as its primary function to collect and distribute traffic between neighborhoods. The secondary function of this roadway is to provide access to lands. Minor collectors include Wheeler Drive, Orlan Brook Drive and 151st Street.

Street, Cul-De-Sac means a local street that has only one open end.

Street, Frontage means all of the property fronting on one side of a street between two intersecting streets, or in the case of a dead-end street, all of the property along one side of the street between an intersecting street and the end of such dead-end street.

Street Line means the outer boundary of a street right-of-way.

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Street, Local means a street intended and designed to provide access to abutting properties.

Street Right-of-Way means the shortest distance between the right-of-way lines of a given street.

Street Width means the shortest distance between backs of curbs.

Structural Alteration means any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial change in the roof or in the exterior walls, excepting such repair or replacement as may be required for the safety of the building. The addition or installation of siding or a masonry veneer to a building, the enclosure of the open area below a roof projection, the enclosure of a doorway, the enclosure of an open stairway, the enclosure of a roofed patio or roofed carport, shall not be considered structural alterations.

Structure means anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for housing, business, commercial, agricultural, or office purposes, either temporarily or permanently. "Structure" also includes, but is not limited to, parking lots, walkways, paths, swimming pools, tennis courts, poles, pipelines, transmission lines, tracks, signs, cisterns, sewage treatment plants, sheds, docks, mooring areas, and other accessory construction.

~~**Subdivider** means any person, firm, association, corporation, trust or any other legal entity who commences proceedings under these regulations to affect a subdivision of land pursuant to Section 5-111 of these regulations.~~

Subdivision means the division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development; provided that a division of land which may be ordered or approved by a court or affected by testamentary or intestate provisions, shall not be deemed a subdivision. The term includes resubdivision and consolidation, and when appropriate to the context, shall relate to the process of subdividing the land subdivided. The term shall also apply to any other development, whether an actual division of property is required or not, and regardless of whether the same is

labeled a subdivision or not, including planned development, it being the intent of this code to apply to all types of development, both within the Village of Orland Park and to areas lying within one and one-half (1 1/2) miles of the corporate limits of the Village of Orland Park.

~~**Subdivision, Major** (definition deleted, Ord. 3070 -- 10/20/97)~~

~~**Subdivision, Minor** (definition deleted, Ord. 3070 -- 10/20/97)~~

Substantial Improvement means any repair, reconstruction, expansion, or improvement of a structure, the cost of which exceeds fifty percent (50%) of the assessed value of a structure as determined either before the expansion or improvement begins or before the damage occurred giving rise to the repair or reconstruction. "Substantial improvement" shall not include, however, any repair or improvement required to bring the structure into compliance with existing state or county or Village health, sanitary, safety, or building code specifications necessary to ensure safe habitation of the structure.

Swimming Pool means a man-made rigid or semi-rigid receptacle for water, whether intended for indoor or outdoor use, having a depth at any point greater than twenty-four (24) inches and with a

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capacity of more than 1,000 gallons or with a water surface area exceeding 250 square feet, which is used or intended to be used for swimming, wading, bathing, immersion, or partial immersion of human beings, and which is constructed, installed and maintained in or above ground.

Temporary Use means a use that is established for a fixed period of time with the intent to discontinue such use upon the expiration of such time, and does not involve the construction or alteration of any permanent structure.

Terrace means an open, outdoor flooring area for sitting and gathering, usually constructed of pavement on the ground surface. (Ord. 3199 - 11/16/98)

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including lattice towers, guyed towers, and monopole towers. (Ord. 3168 - 9/8/98)

Use means the purpose or activity for which the land, or any structure thereon, is designed, arranged, or intended, or for which it is occupied or maintained.

Use, Permitted means any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements of these regulations for the district in which such use is located.

Use, Special means a major or minor use (to be defined in the zoning districts) that has operational, physical and other characteristics that may be different from those of the predominant permitted uses in a zoning district, but which is a use that complements or is otherwise compatible with the intended over-all development within a district, provided that specified standards are met.

Utility Substation means water storage tanks, radio, television and microwave transmission or relay towers and antennae, and electric or gas substations, water or wastewater pumping stations, reservoirs, filtration plants and storage towers, telephone repeater stations, or similar structures used as an intermediary switching, boosting, distribution, or transfer station of electricity, natural gas, water, wastewater, cable television, or telephone services between the point of generation or treatment and the end user, but not including broadcasting studios or satellite dish antennas.

Vegetation means all plant growth.

Vehicle Repair – see motor vehicle services.

Vehicle Sales and Rental – see motor vehicle sales.

~~**Vehicle Sales and Rental Area** means an open area, other than a street or required automobile parking space, used for the display, sale or rental of new or used automobiles and where no repair work is done, except minor incidental repair of automobiles displayed, sold or rented on the premises.~~

Village means the Village of Orland Park, Illinois.

Warehousing or Distribution Establishments mean a business or government agency operation whose primary purpose is: (1) the storage of goods or materials, or (2) the distribution of goods and materials to another location for the purposes of resale or use at the place distributed to, so long as no more than thirty (30) percent of the square footage of the interior of the building may be devoted to retail or showroom facilities, but not including the storage of vehicles, trailers or boats, or heavy

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manufacturing, resource extraction, scrap operations or salvage operations, or mini-storage warehouses. (11/98)

Watercourse means any river, stream, creek, brook, branch, natural or artificial depression, slough, gulch, draw, ditch, channel, circuit, conduit, culvert, swale, gully, ravine, wash, or natural or man-made drainageway, which has a definite channel, bed and banks, in or into which stormwater runoff and floodwater flow either regularly or intermittently.

Wetland means an area that is permanently or periodically inundated or saturated by surface water or groundwater or otherwise has hydric soil conditions at a frequency and duration sufficient to support, or that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term "wetland" includes all wetlands that are defined as such by federal and/or state statutes and regulations for the purposes of regulating development or other activities within wetlands.

Wholesale Establishments means the sale of goods and materials in large quantity primarily for resale to other sellers or contractors, but not including heavy manufacturing, resource extraction, scrape operations, or salvage operations.

Window Display means one (1) or more objects set inside a building in a display case or on a window ledge which displays merchandise or relates to services offered but which is not affixed to any window.

Winery means an agricultural processing facility producing wine from fruit or fruit juices through fermentation or the refermenting of still wine into sparkling wine. Wineries may include a production facility where grapes are crushed, fermented or pressed, where bulk wine is stored in tanks or barrels, or where winery operations such as racking, filtering, blending or bottling of wines are carried out., The facility may also bottle, warehouse and distribute wine but may not provide product directly to a consumer.

Wireless Communication means digital wireless technology such as portable phones, pagers, faxes, and computers. (Ord. 3168 - 9/8/98)

Wireless Communication Facility means a parcel of land that contains wireless communication infrastructure such as antennas, support structures, equipment, accessory buildings, parking, and other uses associated with and ancillary to wireless communication transmission. (Ord. 3168 - 9/8/98)

Wireless Service Provider means a company that provides wireless service. (Ord. 3168 - 9/8/98)

Zoning Districts means the districts into which the Village of Orland Park, Illinois has been divided as set forth on the Zoning District Map. (9/98)