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AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED, RELATIVE TO RESTAURANTS WITHIN 300 FEET OF RESIDENTIAL USE

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

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

WHEREAS, the Plan Commission of the Village held a public hearing on September 16, 2025 on whether the proposed amendments should be approved, at which time all persons present were afforded an opportunity to be heard; and

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

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Section 6 of the Land Development Code of the Village be made, and this Board of Trustees has duly considered said report and findings and recommendations; and

WHEREAS, the President and Board of Trustees of the Village of Orland Park have determined that it is in the best interests of the Village and its residents to update the aforementioned sections of the Land Development Code in order to bring it in line with surrounding communities and the Village's needs;

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

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

SECTION 2: Article 6, Section 6-207 (BIZ GENERAL BUSINESS DISTRICT) shall be amended as follows (additions marked with underline and deletions marked with strikethrough):

SECTION 6-207. BIZ GENERAL BUSINESS DISTRICT.

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B. **Permitted Uses**. The following uses may be established as permitted uses in the BIZ District in buildings up to 50,000 square feet unless otherwise limited below, in accordance with the procedures established in Sections 5-101 through 5-104:

...

21. Restaurants without drive-through facilities and/or outdoor seating for restaurants ~~and outdoor seating for restaurants, greater than 300 feet of a residential parcel.~~

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C. **Special Uses**. The following uses may be established as special uses in the BIZ District, in accordance in the procedures and standards set forth in Section 5-105:

...

20. Restaurants with drive-through facilities, and/or outdoor seating for restaurants, ~~within 300 feet of a residential parcel.~~

SECTION 3: Article 6, Section 6-209 (OLD ORLAND HISTORIC DISTRICT) Table 6.909.B.3 (Table of Uses) shall be amended as follows (additions marked with underline and deletions marked with strikethrough:

SECTION 6-209: OLD ORLAND HISTORIC DISTRICT

...

B. Uses.

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Table 6.909.B.3: Table of Uses		
	PERMITTED/ SPECIAL USE	GEOGRAPHY
3. Commercial Uses: Restaurants <u>without drive-through facilities and/or outdoor seating for restaurants</u> and outdoor seating for restaurants* ; *When located within 300 feet of a residential use;	Special <u>Permitted Use</u>	Commercial Areas
<u>Restaurants with drive-through facilities, and/or outdoor seating for restaurants</u>	<u>Special Use</u>	<u>Commercial</u> <u>Areas</u>

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SECTION 4: Article 6, Section 6-210 (COR MIXED USE DISTRICT DISTRICT) shall be amended as follows (additions marked with underline and deletions marked with strikethrough:

B. **Permitted Uses.** The following uses may be established as permitted uses in the BIZ District in buildings up to 50,000 square feet unless otherwise limited below, in accordance with the procedures established in Sections 5-101 through 5-104:

...

15. Restaurants without drive-through facilities and/or outdoor seating for restaurants ~~and outdoor seating for restaurants, greater than 300 feet of a residential parcel.~~

...

C. **Special Uses.** The following uses may be established as special uses in the BIZ District, in accordance in the procedures and standards set forth in Section 5-105:

...

20. Restaurants with drive-through facilities, and/or outdoor seating for restaurants, ~~within 300 feet of a residential parcel.~~

SECTION 5: Article 6, Section 6-211 (ORI MIXED USE DISTRICT DISTRICT) shall be amended as follows (additions marked with underline and deletions marked with strikethrough:

SECTION 6-211. ORI MIXED USE DISTRICT.

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B. **Permitted Uses.** The following uses may be established as permitted uses in the ORI Mixed Use District in buildings up to 50,000 square feet unless otherwise limited below in accordance with the procedures set forth in Sections 5-101 through 5-104, provided that all other applicable regulations are met:

...
19. Restaurants without drive-through facilities and/or outdoor seating for restaurants and outdoor seating for restaurants, ~~greater than 300 feet of a residential parcel.~~

...
C. **Special Uses.** The following uses may be established as special uses in accordance with the procedures and standards set forth in Section 5-105:

...
15. Restaurants with drive-through facilities, and/or outdoor seating for restaurants, ~~within 300 feet of a residential parcel.~~

...

SECTION 6: Article 6, Section 6-209 (VILLAGE CENTER DISTRICT (VCD) Table 6.212.C.1 (Allowable Uses in the Village Center District) shall be amended as follows (additions marked with underline and deletions marked with strikethrough:

SECTION 6-212: VILLAGE CENTER DISTRICT (VCD)

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Table 6-212.C.1: Allowable Uses in the Village Center District		
	Lot line 300 feet or more from single family detached residential lot line	Lot line within 300 feet of single family detached residential lot line
3. Commercial Uses: Restaurants, <u>without drive-through facilities and/or outdoor seating for restaurants</u> outdoor seating for restaurants , and banquet halls	Permitted Use	Permitted Use
<u>Restaurants with drive-through facilities, and/or outdoor seating for restaurants</u>	<u>Special Use</u>	<u>Special Use</u>

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SECTION 7: To the extent necessary, all tables of contents, indexes, headings, and internal references or cross-references to Sections that need to be amended or deleted within the Orland Park Village Code, as amended, as a consequence of the above Code Amendments, shall be amended by the Village's codifier so as to be consistent with the terms of this Ordinance.

SECTION 8: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 9: Each section, paragraph, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 10: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Orland Park Land Development Code, as amended, shall remain in full force and effect.

SECTION 11: This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.

SECTION 12: The Village Clerk be and hereby is authorized and directed to publish this Ordinance in pamphlet form.