

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Sections 6-201, 6-202, 6-203, 6-203.5, 6-204, 6-204.5, 6-205, 6-207, 6-209, 6-210, 6-211, 6-212, 6-302, 6-306, 6-307, 6-310)

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

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

WHEREAS, amendments have been proposed regarding commercial parking requirements; parking, fences and decks in the Old Orland Historic District; restaurant proximity requirements; special use requirement for places of worship in the Village Center District; window signs; temporary fences; retaining walls in residential districts; sign permit process; food processing plants in the ORI District; electrical vehicle supply equipment; and political campaign signs; and

WHEREAS, the Plan Commission of the Village held public hearings on March 8, 2011 and April 10, 2012 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 hearings by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearings in the Orland Park Prairie, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Sections 6-201, 6-202, 6-203, 6-203.5, 6-204, 6-204.5, 6-205, 6-207, 6-209, 6-210, 6-211, 6-212, 6-302, 6-306, 6-307, 6-310 of the Land Development Code of the Village be made, and this Board of Trustees has duly considered said report and findings and recommendations; and

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

## SECTION 1

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

## SECTION 2

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph d of Subsection 2, "Side and Corner Side," of Paragraph E, "Setbacks," of Section 6-201 and to substitute the following as new text for Subparagraph d of Subsection 2 of Paragraph E of Section 6-201:

d. Side yards with side loading garages shall be a minimum of twenty (20) feet and the driveway must be a minimum of three (3) feet from the nearest side property line.

## SECTION 3

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2, "Side," of Paragraph E, "Setbacks," of Section 6-202 and to substitute the following as new text for Subsection 2 of Paragraph E of Section 6-202:

### 2. Side.

All lots: Not less than 15% of the width of the lot on each side of the principal building to the side lot line. Side yards with side loading garages shall be a minimum of twenty (20) feet and the driveway must be a minimum of three (3) feet from the nearest side property line. Where the width of a lot varies, the average of the lot width at the front setback line and the rear setback line shall be used to make the 15% calculation; however no side yard shall be less than 12.5 feet.

## SECTION 4

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2, "Side," of Paragraph E, "Setbacks," of Section 6-203 and to substitute the following as new text for Subsection 2 of Paragraph E of Section 6-203:

### 2. Side.

All streets: Not less than 10% of the width of the lot on each side of the principal building to the side lot line. Side yards with side loading garages shall be a minimum of twenty (20) feet and the driveway must be a minimum of three (3) feet from the nearest side property line. For irregular lots, not less than 10 feet on each side of the principal building to the side lot line.

## SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2, "Side," of Paragraph E, "Setbacks," of Section 6-203.5 and to substitute the following as new text for Subsection 2 of Paragraph E of Section 6-203.5:

### 2. Side.

All streets: Not less than 10% of the width of the lot on each side of the principal building to the side lot line. Side yards with side loading garages shall be a minimum of twenty (20) feet and the driveway must be a minimum of three (3) feet from the nearest side property line. For irregular lots, not less than 10 feet on each side of the principal building to the side lot line.

## SECTION 6

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph a of Subsection 2, "Side," of Paragraph E, "Setbacks," of Section 6-204 and to substitute the following as new text for Subparagraph a of Subsection 2 of Paragraph E of Section 6-204:

- a. Side yards with side loading garages shall be a minimum of twenty (20) feet and the driveway must be a minimum of three (3) feet from the nearest side property line.

## SECTION 7

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2, "Side," of Paragraph E, "Setbacks," of Section 6-204.5 and to substitute the following as new text for Subsection 2 of Paragraph E of Section 6-204.5:

### 2. Side.

All streets: Not less than 10% of the width of the lot on each side of the principal building to the side lot line. Where the width of the lot varies, the average of the lot width at the front setback line and the rear setback line shall be used to make the 10% calculation; however, no side yard shall be less than eight (8) feet. Side yards with side loading garages shall be a minimum of twenty (20) feet and the driveway must be a minimum of three (3) feet from the nearest side property line.

## SECTION 8

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph b.2 of Subparagraph b, "Side Setbacks," of Subsection 1, "Single-Family Detached Residential Building Setbacks," of Paragraph E, "Setbacks," of Section 6-205 and substitute the following as new text for Subparagraph b.2 of Subparagraph b of Subsection 1 of Paragraph E of Section 6-205:

2. Side yards with side loading garages shall be a minimum of twenty (20) feet. The driveway must be a minimum of three (3) feet from the nearest side property line.

## SECTION 9

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 21 of Paragraph B, "Permitted Uses," of

Section 6-207 and to substitute the following as new text for Subsection 21 of Paragraph B of Section 6-207:

21. Restaurants and outdoor seating for restaurants greater than 300 feet from a residential parcel. Outdoor seating will have aisle widths of three (3) feet or more, and service of liquor will require fencing, temporary or permanent, with a minimum height of 3.5-feet.

## SECTION 10

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

20. Restaurants and outdoor seating for restaurants, within 300 feet of a residential parcel. Outdoor seating will have aisle widths of three (3) feet or more, and service of liquor will require fencing, temporary or permanent, with a minimum height of 3.5 feet.

## SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 3, "Parking Requirements," of Paragraph D, "Other Regulations," of Section 6-209 and to substitute the following as new text for Subsection 3 of Paragraph D of Section 6-209:

### 3. Parking Requirements.

All parking regulations apply as outlined in Section 6-306 of the Land Development Code. If there is insufficient area for Historic District businesses in new or existing buildings to provide required parking on-site, parking opportunities demonstrated to exist either on-street or via shared parking nearby may be applied to meet the requirement.

## SECTION 12

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 7, "Fences," of Paragraph D, "Other Regulations," of Section 6-209 and to substitute the following as new text for Subsection 7 of Paragraph D of Section 6-209:

### 7. Fences.

For front yards and yards abutting a street, fences shall not exceed a height of 4 feet, must be 50% open, and be of picket construction. All other fences shall not exceed a height of 5 feet. Chain link fences are not permitted. Fences on property with contributing structures shall be of wood construction. Fencing on property with non-contributing structures or new construction can be vinyl.

## SECTION 13

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 4, "Major Change," of Paragraph G, "Review Process for Certificates of Appropriateness," of Section 6-209 and to substitute the following as new text for Subsection 4 of Paragraph G of Section 6-209:

### 4. Major Change.

Substantial change to the exterior appearance of a structure, or any change to the impervious coverage on the site, including but not limited to: New Construction or additions, including new decks visible from the right of way, porches, driveways, etc.; Demolition of any structure or any part of a structure; Relocation of buildings; Significant alteration/removal of historical or architectural features.

All changes considered "Major" by the Director of Planning shall require a Public Notice prior to the Historic Preservation Review Commission meeting, as defined in the following tables.

## SECTION 14

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 16 of Paragraph B, "Permitted Uses," of Section 6-210 and to substitute the following as new text for Subsection 16 of Paragraph B of Section 6-210:

16. Restaurants, and outdoor seating for restaurants, greater than 300 feet from a residential parcel. Outdoor seating will have aisle widths of three (3) feet or more, and service of liquor will require fencing, temporary or permanent, with a minimum height of 3.5-feet.

## SECTION 15

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 21 of Paragraph C, "Special Uses," of Section 6-210 and to substitute the following as new text for Subsection 21 of Paragraph C of Section 6-210:

21. Restaurants and outdoor seating for restaurants within 300 feet from a residential parcel. Outdoor seating, if approved, will have aisle widths of three (3) feet or more, and service of liquor will require fencing, temporary or permanent, with a minimum height of 3.5-feet.

## SECTION 16

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 3 of Paragraph C, "Special Uses," of Section 6-211 and to substitute the following as new text for Subsection 3 of Paragraph C of Section 6-211:

3. Food processing plants, provided they are located at least 1,000 feet from a residential use or district;

## SECTION 17

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection "Places of Worship" of the Paragraph entitled "Civic and Institutional Uses" of Table 6-212.C.1 and to substitute the following as new text for Subsection "Places of Worship" of the Civic and Institutional Uses Paragraph of Table 6-212.C.1:

Places of worship, which may include overnight shelter for up to 8 adults	Special Use	Special Use
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## SECTION 18

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 29, "Retaining Walls," of Paragraph C, "Permitted Accessory Structures and Uses," of Section 6-302 and to substitute the following as new text for Subsection 29 of Paragraph C of Section 6-302:

29. Retaining Walls: May be permitted in front, side, and rear setbacks, so long as they are located at least three (3) feet inside the lot lines and do not obstruct storm water flow. Retaining walls shall be limited to a maximum three (3) feet in height. Any retaining wall in a side yard associated with a side loading garage or driveway cannot exceed two (2) feet in height, nor be closer than three (3) feet to the nearest side property line. When the consequence of grading land results in the necessity for a total retaining wall height greater than three (3) feet, the retaining wall must be tiered and each wall on the tiered retaining wall system shall be limited to three (3) feet in height. The formula for determining the tiered wall setback shall be two (2) times the lower wall height. A structural permit is required if the retaining wall system exceeds three (3) feet (triggering the need for a second wall or more) in total height.

## SECTION 19

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsections "Commercial retail building footprint up to 5,000 sq. ft. in floor area," "Commercial retail building footprint 5,001 to 50,000 sq. ft. in floor area," and "Commercial retail building footprint exceeding 50,000 sq. ft. in floor area," of the Paragraph entitled "Commercial Uses" of Table 6-306(B) and to substitute the following as new Subsection entitled "Commercial retail buildings" of the Commercial Uses Paragraph of Section 6-306(B):

Commercial retail buildings	1 per 250 square feet + 4 stacking spaces per drive through lane
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## SECTION 20

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph c of Subsection 1 of Paragraph N, “Vehicle to Grid (V2G) Parking Standards,” of Section 6-306 and to substitute the following as new text for Subparagraph c of Subsection 1 of Paragraph N of Section 6-306:

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

1. Utility Public Charging Port (UPCP). A UPCP is an EVSE port established in a publicly owned and maintained parking lot by either the electrical utility that services the area (ComEd) or the local government. UPCPs shall be permitted in all zoning districts.
2. Private Charging Port (PCP). A PCP is an EVSE port established in a privately owned and maintained parking lot by the private property owner or property management company. A PCP is permitted in R-4, VC, BIZ, COR, MFG, ORI and OL district parking lots. Commercial and multi-family PCPs do not typically require canopies for Underwriters Laboratories approved charging equipment. However, providing shelter over charging equipment to protect from rain or snow fall is permitted.

## SECTION 21

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Paragraph B, “Physical Standards,” of Section 6-307 and to substitute the following as new text for Paragraph B of Section 6-307:

B. Physical Standards. Physical standards such as sign height and area contained herein are to be construed as maximum standards and are subject to review and approval by the Development Services Department as they relate to specific locations, uses and design proposals.

## SECTION 22

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 3 of Paragraph F, “Sign Permit Application,” of Section 6-307 and to substitute the following as new text for Subsection 3 of Paragraph F of Section 6-307:

3. Upon receipt of a completed permit application, the Development Services Department shall administratively review it. Upon administrative approval by the Department, the Department may issue a permit for said sign. The Department shall decide whether to issue or deny the

permit within ten (10) days of receiving a completed application. The Department's failure to act on a completed application within fifteen (15) days shall be deemed approval of the application.

## SECTION 23

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2 of Paragraph J, "Appearance Review," of Section 6-307 and to substitute the following as new text for Subsection 2 of Paragraph J of Section 6-307:

2. Appearance of signs which are part of a development being processed by the Development Services Department may be reviewed by the Plan Commission in conjunction with the general review of that development.

## SECTION 24

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph 1 of Subsection 2, "Signs Permitted Without Permit," of Paragraph N, "Signs Permitted in All Districts," of Section 6-307 and to substitute the following as new text for Subparagraph 1 of Subsection 2 of Paragraph N of Section 6-307:

1. Political Campaign Signs. Political campaign signs announcing candidates seeking public political office and other data pertinent thereto or pertinent to an election or referendum shall be permitted accordingly:
  1. For properties less than one (1) acre in area, a political campaign sign shall be permitted up to a total area of six (6) square feet. For those properties less-than one (1) acre that are located on major or minor arterial roads or major collector roads, a political campaign sign shall be permitted up to a total area of forty (40) square feet.
  2. For properties between one (1) acre and ten (10) acres in area, a political campaign sign shall be permitted up to a total area of forty (40) square feet.
  3. For properties greater than ten (10) acres in area, a political campaign sign shall be permitted up to a total area of sixty-four (64) square feet.
4. Political campaign signs shall be confined within private property and shall comply with the setback requirements of Section 6-307.K of these regulations.
5. For non-residential and mixed-use properties, political campaign signs shall not be displayed more than sixty (60) days prior to and seven (7) days after the election or referendum for which they are intended.

## SECTION 25

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 3, "Window Signs," of Paragraph P, "Signs Permitted in Commercial/Office Districts – Sign District #2," of Section 6-307 and to substitute the following as new text for Subsection 3 of Paragraph P of Section 6-307:

3. Window Signs.

- a. There shall be no more than fifty percent (50%) of each window area covered with window signs or images. (For window signs in the Old Orland Historic District, see Section 6-209.E.4). Spandrel glass is not considered a window. No window signs are allowed on spandrel glass.
- b. Neon lettering shall be permitted on window signs. However, the window cannot be framed in neon.

**SECTION 26**

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2 of Paragraph B, "Prohibited Fences," of Section 6-310 and to substitute the following as new text for Subsection 2 of Paragraph B of Section 6-310:

2. Temporary Fences. The following temporary fences shall not be permitted within the Village:
  - a. Any temporary fence that remains in place for longer than 6 months.
  - b. Any temporary fence located around the lot perimeter, except as permitted by the Village for construction or demolition.
  - c. Snow fences (wooden or plastic), except for use as construction fencing or to direct snow drifts.
  - d. Silt and erosion control fences, except for the purposes of erosion control during construction and soil stabilization.

**SECTION 27**

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

**SECTION 28**

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

## SECTION 29

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