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AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Sections 2-102, 6-104, 6-201, 6-202, 6-203, 6-203.5, 6-204, 6-204.5, 6-205, 6-206, 6-207, 6-209, 6-210, 6-212, 6-213, 6-302, 6-305, 6-306, 6-307, 6-314, 6-315.

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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, updates to Definitions, removal of Definitions and Regulations of Residential Care Homes, updates to Permitted Uses in Open Lands Zoning District, update to Temporary Hiring Office Requirements, update to Off-Street Parking and Loading Requirements, clarifications to Exterior Lighting Regulations, clarifications to the Sign Code, clarifications to the Landscape and Tree Preservation Section and clarification to References in Accessory Structures and Uses Section are necessary; and

WHEREAS, the Plan Commission of the Village held a public hearing on January 8, 2018 on whether the proposed amendments should be approved, at which time all persons present were afforded an opportunity to be heard; and

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

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Sections 2-102, 6-104, 6-201, 6-202, 6-203, 6-203.5, 6-204, 6-204.5, 6-205, 6-206, 6-207, 6-209, 6-210, 6-212, 6-213, 6-302, 6-305, 6-306, 6-307, 6-314, 6-315 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

Section 2-102 (DEFINITIONS) of the Code is amended by deleting the definition therein of “Residential Care Home”.

## SECTION 3

Section 2-102 (DEFINITIONS) of the Code is further amended by amending the definitions of “Animal Services”, “Commercial Retail Establishment”, “Dormitory”, “Governmental Use” and “Residential Use” and adding definitions for “Solar Collector”, “Solar Energy System (SES)”, “Solar Energy System, Building – Integrated”, “Solar Energy System, Building – Mounted”, “Solar Energy System, Freestanding”, “Solar Energy System, Roof-Mounted” and “Solar Energy System, Wall-Mounted” so that said amended and added definitions shall provide as follows:

### “SECTION 2-102. DEFINITIONS

**Animal Services** - means any business or establishment providing services to animals for a time period of more than four (4) hours. Examples include:

1. Any premises where more than three (3) domestic animals over one (1) year of age are kept.
2. Any premises where one (1) 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 provided they are located a minimum of three hundred (300 feet) from any residential zoning district, measured from the closest run or kennel to the nearest residential property line.
5. Animal Shelters provided they are located a minimum of three hundred (300 feet) feet from any residential zoning district, measured from the closest run or kennel to the nearest residential property line.
6. Pet shops with designated outdoor exercise areas or enclosures, provided all designated outdoor areas are located a minimum of three hundred (300 feet) feet from any residential zoning district.
7. Animal boarding.

Exemptions: 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 less than four (4) hours, see the Personal Service Establishment definition.

For pet shops without designated outdoor exercise areas or enclosures, see the Commercial Retail Establishment definition.

(Ord. 4434 –12/1/08; Amd. Ord. 4664, 8-1-11)

**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, commercial pet shops without designated outdoor exercise areas or enclosures, toy stores, and variety stores but does not include restaurants or personal service establishments.

**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 or health institution.

**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 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.

**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 the only repair work allowed must be accessory to the primary use of the sale or rental of vehicles.

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

**Solar Collector** means a device, structure, or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

**Solar Energy System (SES)** means a system primarily used for the collection, storage, and/or distribution of solar energy for electricity generation, space heating, space cooling, or water heating. A SES is incidental and subordinate to a permitted use on the same parcel or lot. A SES shall supply electrical power solely for on-site use, except that when a parcel on which a system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not needed for on-site use may be used by the local utility company. A SES consists of all exterior, above-ground, and below-ground parts and devices, including all collector panels, equipment, legs, braces, and/or supporting devices.

**Solar Energy System, Building-Integrated** means a solar energy system that is an integral part of a permitted principal or accessory building or structure, rather than a separate mechanical device, and that replaces or substitutes an architectural or structural component of the building or structure. Systems shall be integrated into a structure as an architectural feature and include, but are not limited to, systems where solar collector units are built into and contained within roof shingles, windows, skylights, awnings, curtain walls, canopies, parking lot canopy shade structures, and similar architectural components.

**Solar Energy System, Building-Mounted** means a solar energy system that is affixed to or mounted on either the roof or façade of a principal or accessory structure. A building-mounted solar energy system includes roof-mounted, wall-mounted, and building-integrated systems.

**Solar Energy System, Freestanding** means a self-supported solar energy system that is not attached to another building or structure and is ground-mounted on a rack or pole that is supported by the ground.

**Solar Energy System, Roof-Mounted** means a solar energy system that is structurally mounted to the roof of a building or structure.

**Solar Energy System, Wall-Mounted** means a solar energy system that is structurally mounted to and is entirely supported by the exterior wall of a building or structure.”

#### SECTION 4

The Code, as amended, is hereby further amended to delete in their entirety the texts of Paragraphs A (Purpose), B (Permitted Uses) and C (Special Uses) of Section 6-201 (E-1 ESTATE RESIDENTIAL DISTRICT) and to substitute the following as the new texts of paragraphs A, B and C of Section 6-201:

#### “SECTION 6-201 E-1 ESTATE RESIDENTIAL DISTRICT.

A. Purpose. The E-1 District is established to preserve and enhance very low density residential areas characterized by an essentially rural character.

B. Permitted Uses. The following uses may be established as permitted uses in the E-1 District, in accordance with the procedures established in Sections 5-101 through 5-104:

1. Accessory uses, as provided in Section 6-302; (Ord. 4374 - 6/2/08)
  - a. Accessory garages up to four (4) vehicles;
  - b. Accessory five (5) vehicle garage if it is side-load and not facing a public street;
2. Bus stop shelters owned and maintained by the Village, provided that:
  - a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle as provided in Section 6-301(E); and
  - b. The design of the bus shelter is compatible with the development of nearby properties; (Ord. 4374 - 6/2/08)
3. Parks, forest preserves and recreational areas, provided that any parking lots are located at least 500 feet from any lot line;
4. Single family detached dwellings; and

5. Day Care Home. (Ord.2860 - 3/18/96)

**C. Special Uses.** The following uses may be established as special uses in the E-1 District, in accordance with the procedures and standards set forth in Section 5-105:

(Ord. 4374 - 6/2/08)

1. Cemeteries;
2. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that: (Ord. 3672 - 8/5/02)
  - a. The use is located on a lot at least five (5) acres in area;
  - b. No building is located within 25 feet of a side lot line; and
  - c. The use is located no closer than 1,000 feet to any other boarding school, college, seminary, convent, monastery, nursing home, or congregate elderly housing facility.
3. Golf courses, including uses normally ancillary to such uses, such as restaurants, but not including commercially operated driving ranges or miniature golf courses, provided that such ancillary uses, parking and all structures are located at least five hundred (500) feet from any lot line;
4. Governmental uses;
5. Horse stables, provided that:
  - a. The stable is located on a lot at least three (3) acres in area;
  - b. A minimum of one (1) acre of the lot is devoted exclusively to horses;
  - c. A fence of not less than five and no more than six (6) feet high is maintained around the paddock, pasture or other area where a horse would be left unattended;
  - d. A minimum of one hundred fifty (150) feet separates the stable and horse fence from any property line; and
  - e. A waste management plan for controlling manure is approved.
6. Places of worship which may include overnight shelter for up to eight (8) adults, provided that no building is located within 25 feet of a side lot line. (Ord. 4374 - 6/2/08)
7. Private marinas, slips and docks, provided that:
  - a. Only those commercial uses that are accessory to the marina are located on the premises; and
  - b. Public fishing is permitted from the marina dock.
8. Public utility structures, other than electrical generating facilities, provided that: (Ord. 4374 - 6/2/08)
  - a. No building is located within 25 feet of a side lot line;
  - b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;
  - c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within 300 feet of any stream or other body of water or any existing or proposed dwelling; and
  - d. The standards of Section 6-311 are met for the applicable structures/ utilities.
9. Planned developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.
  - a. Residential planned development provided that:
    1. No more than one (1) dwelling for every one (1) gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted, provided that:
      - a. the overall net density is not increased;

- b. no lot has an area of less than 35,000 square feet; and
    - c. the side setback is at least 25% of the width of the lot.
  - 2. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and
  - 3. Streets are designed to provide a variety of views and approaches.
- (Ord. 4574 - 7/6/10)
10. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.”
- (Ord. 4442 - 12/15/08)

## SECTION 5

The Code, as amended, is hereby further amended to delete in their entirety the texts of Paragraphs A (Purpose), B (Permitted Uses) and C (Special Uses) of Section 6-202 (R-1 RESIDENTIAL DISTRICT) and to substitute the following as the new texts of Paragraphs A, B and C of Section 6-202:

### **“SECTION 6-202. R-1 RESIDENTIAL DISTRICT**

A. Purpose. The R-1 District is established to protect, promote and maintain areas that are developing or have been developed with single-family detached housing and limited public and institutional uses that are compatible with a low density residential neighborhood.

B. Permitted Uses. The following uses may be established as permitted uses in the R-1 District, in accordance with the procedures established in Sections 5-101 through 5-104:

- 1. Accessory uses, as provided in Section 6-302; (Ord. 4374 - 6/30/08)
    - a. Garages for four (4) vehicles;
    - b. Accessory five (5) vehicle garage if it is side-load and not facing a public street;
  - 2. Bus stop shelters owned and maintained by the Village, provided that:
    - a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle identified in Section 6-301(E); and
    - b. The design of the bus shelter is compatible with development of nearby properties;
- (Ord. 4374 - 6/30/08)
- 3. Golf courses, including uses normally ancillary to such uses, such as restaurants, but not including commercially operated driving ranges or miniature golf courses, provided that such ancillary uses, parking and all structures are located at least five hundred (500) feet from any lot line;
  - 4. Parks, forest preserves and recreational areas, provided that any parking lots are located at least 500 feet from any lot line;
  - 5. Single family detached dwellings; and (Ord. 4880 - 2/3/14)
  - 6. Day Care Home. (Ord. 2 860 - 3/18/96)

C. Special Uses. The following uses may be established as special uses in the R-1 District, in accordance with the procedures and standards set forth in Section 5-105:

- 1. Cemeteries;
- 2. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that: (Ord. 3672 - 8/5/02)
  - a. The use is located on a lot at least five (5) acres in area;

- b. No building is located within 25 feet of a side lot line; and
  - c. The use is located no closer than 1,000 feet to any other boarding school, college, seminary, convent, monastery, nursing home or congregate elderly housing facility.
  - 3. Governmental uses;
  - 4. Places of worship which may include overnight shelter for up to eight (8) adults, provided that:
    - a. The use is located on a lot not less than 12,000 square feet and a width of 90 feet; and
    - c. No structure is located within 25 feet of a side lot line.
  - 5. Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.
    - a. Residential planned development provided that:
      - 1. The dwelling units are located on the parcel to ensure adequate privacy for residents, such as by the separation of buildings or landscaping between buildings;
      - 2. No more than one (1) dwelling unit for every ½ gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted, provided that:
        - a. the overall density is not increased;
        - b. no lot is less than 18,000 square feet; and
        - c. the side setback is at least twenty-five (25) percent of the width of the lot.
      - 3. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and
      - 4. Streets are designed to follow natural soils and contours and provide a variety of views and approaches.
- (Ord. 4574 - 7/6/10)
- 6. Public utility structures, excluding electrical generating facilities and wastewater treatment facilities, provided that: (Ord. 3672 - 8/5/02)
    - a. No building is located within twenty-five (25) feet of a side lot line;
    - b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;
    - c. The standards of Section 6-311 are met for the applicable structures/ utilities. (Ord. 4374 - 6/30/08)
  - 7. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.” (Ord. 4442 - 12/15/08)

## SECTION 6

The Code, as amended, is hereby further amended to delete in their entirety the texts of paragraphs A (Purpose), B (Permitted uses) and C (Special uses) of Section 6-203 (R-2 RESIDENTIAL DISTRICT) and to substitute the following as the new texts of Paragraphs A, B and C of Section 6-203:

### **“SECTION 6-203. R-2 RESIDENTIAL DISTRICT**

A. Purpose. The R-2 District is established to protect, promote and maintain the development of single-family detached housing and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The development standards and range of allowable uses are designed to provide for residential living at a slightly higher density of development than that of the R-1 district.

B. Permitted Uses. The following uses may be established as permitted uses in the R-2 District, in accordance with the procedures established in Section 5-101 through 5-104:

(Ord. 3672 - 8/5/02)

1. Accessory uses, as provided in Section 6-302; (Ord. 4374 - 6/2/08)
    - a. Garages for three (3) vehicles;
    - b. Accessory four (4) vehicle garage if it is side-load and not facing a public street;
  2. Bus stop shelters owned and maintained by the Village, provided that:
    - a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle identified in Section 6-301(E); and
    - b. The design of the bus shelter is compatible with development of nearby properties;
- (Ord. 4374 - 6/2/08)
3. Day Care Home; (Ord. 2680 - 3/18/96)
  4. Golf courses, including uses normally ancillary to such uses, such as restaurants, but not including commercially operated driving ranges or miniature golf courses, provided that such ancillary uses, parking and all structures are located at least five hundred (500) feet from any lot line;
  5. Parks, forest preserves and recreational areas, provided that any parking lots are located at least 500 feet from any lot line;
  6. Single family detached dwellings; and (Ord. 4880 - 2/3/14)

C. Special Uses. The following uses may be established as special uses in the R-2 District, in accordance with the procedures and standards set forth in Section 5-105:

1. Cemeteries;
2. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that: (Ord. 3672 - 8/5/02)
  - a. The use is located on a lot at least five (5) acres in area;
  - b. No building is located within twenty-five (25) feet of a side lot line; and
  - c. The use is located no closer than 1,000 feet to any other boarding school, college, seminary, convent, monastery, nursing home, congregate elderly housing facility.
3. Governmental uses;
4. Places of worship which may include overnight shelter for up to eight (8) adults, provided that:
  - a. The use is located on a lot not less than 12,000 square feet and a width of ninety (90) feet; and
  - b. No structure is located within twenty-five (25) feet of a side lot line.
5. Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.
  - a. Residential planned development provided that:
    1. The dwelling units are located on the parcel to ensure adequate privacy for residents, such as by the separation of buildings or landscaping between buildings;
    2. No more than one (1) dwelling unit for every ½ gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted, provided that:
      - a. the overall density is not increased;
      - b. no lot is less than 12,500 square feet; and
      - c. the side setback is at least twenty-five (25) percent of the width of the lot.



3. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and

4. Streets are designed to follow natural soils and contours and provide a variety of views and approaches.

(Ord. 4574 - 7/6/10)

6. Public utility structures, other than electrical generating facilities, provided that:  
(Ord. 3672 - 8/5/02)

a. No building is located within twenty-five (25) feet of a side lot line;

b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;

c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within 300 feet of any stream or other body of water or any existing or proposed dwelling; and

d. The standards of Section 6-311 are met for the applicable structures/ utilities.

(Ord. 4374 - 6/2/08)

7. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.”  
(Ord. 4442 - 12/15/08)

## SECTION 7

The Code, as amended, is hereby further amended to delete in their entirety the texts of paragraphs A (Purpose), B (Permitted uses) and C (Special Uses) of Section 6-203.5 (R-2A RESIDENTIAL DISTRICT) and to substitute the following as the new texts of Paragraphs A, B and C of Section 6-203.5:

### **“SECTION 6-203.5 R-2 RESIDENTIAL DISTRICT.**

A. Purpose. The R-2 District is established to protect, promote and maintain the development of single-family detached housing and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The development standards and range of allowable uses are designed to provide for residential living at a slightly higher density of development than that of the R-1 district.

B. Permitted Uses. The following uses may be established as permitted uses in the R-2 District, in accordance with the procedures established in Section 5-101 through 5-104:  
(Ord. 3672 - 8/5/02)

1. Accessory uses, as provided in Section 6-302; (Ord. 4374 - 6/2/08)

a. Garages for three (3) vehicles;

b. Accessory four (4) vehicle garage if it is side-load and not facing a public street;

2. Bus stop shelters owned and maintained by the Village, provided that:

a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle identified in Section 6-301(E); and

b. The design of the bus shelter is compatible with development of nearby properties;

(Ord. 4374 - 6/2/08)

3. Day Care Home; (Ord.2680 - 3/18/96)

4. Golf courses, including uses normally ancillary to such uses, such as restaurants, but not including commercially operated driving ranges or miniature golf courses, provided that such ancillary uses, parking and all structures are located at least five hundred (500) feet from any lot line;

5. Parks, forest preserves and recreational areas, provided that any parking lots are located at least 500 feet from any lot line;

6. Single family detached dwellings; and (Ord. 4880 - 2/3/14)

C. Special Uses. The following uses may be established as special uses in the R-2 District, in accordance with the procedures and standards set forth in Section 5-105:

1. Cemeteries;

2. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that: (Ord. 3672 - 8/5/02)

a. The use is located on a lot at least five (5) acres in area;

b. No building is located within twenty-five (25) feet of a side lot line; and

c. The use is located no closer than 1,000 feet to any other boarding school, college, seminary, convent, monastery, nursing home, congregate elderly housing facility.

3. Governmental uses;

4. Places of worship which may include overnight shelter for up to eight (8) adults, provided that:

a. The use is located on a lot not less than 12,000 square feet and a width of ninety (90) feet; and

b. No structure is located within twenty-five (25) feet of a side lot line.

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

a. Residential planned development provided that:

1. The dwelling units are located on the parcel to ensure adequate privacy for residents, such as by the separation of buildings or landscaping between buildings;

2. No more than one (1) dwelling unit for every ½ gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted, provided that:

a. the overall density is not increased;

b. no lot is less than 12,500 square feet; and

c. the side setback is at least twenty-five (25) percent of the width of the lot.

3. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and

4. Streets are designed to follow natural soils and contours and provide a variety of views and approaches.

(Ord. 4574 - 7/6/10)

6. Public utility structures, other than electrical generating facilities, provided that:

(Ord. 3672 - 8/5/02)

a. No building is located within twenty-five (25) feet of a side lot line;

b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;

c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within 300 feet of any stream or other body of water or any existing or proposed dwelling; and

d. The standards of Section 6-311 are met for the applicable structures/ utilities.

(Ord. 4374 - 6/2/08)

7. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.”  
(Ord. 4442 - 12/15/08)

## SECTION 8

The Code, as amended, is hereby further amended to delete in their entirety the texts of paragraphs A (Purpose), B (Permitted Uses) and C (Special Uses) of Section 6-204 (R-3 RESIDENTIAL DISTRICT) and to substitute the following as the new texts of Paragraphs A, B and C of Section 6-204.”

### **“SECTION 6-204. R-3 RESIDENTIAL DISTRICT.**

A. Purpose. The R-3 Residential District is established to promote and maintain the development of single-family detached and attached housing and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The district therefore provides housing opportunities similar in scale to single family detached dwellings but encouraging clustering in order to promote establishing on-site amenities at a slightly higher density of development than that of the R-2 District.

B. Permitted Uses. The following uses may be established as permitted uses in the R-3 District, in accordance with the procedures established in Section 5-101 through 5-104:

1. Accessory uses, as provided in Section 6-302;

(Ord. 4374 - 6/2/08)

- a. Garages for two (2) vehicles facing a public street or side-loaded;
- b. Garages for three (3) vehicles facing a public street on the primary front yard provided that:
  - i. The bay for the third vehicle is setback a minimum of three (3) feet from the primary garage;
  - ii. The three (3) vehicle garage width constitutes less than 55% of the total building width; and
  - iii. Driveways widths are less than 25-feet at the point where it crosses a sidewalk.
- c. Garages for three (3) vehicles facing a public street on the side yard of a corner lot provided that: The bay for the third vehicle is offset a minimum of one (1) foot from the primary garage;
- d. Garages for three (3) or four (4) vehicles if it is side-loaded and not facing a public street.

(Amd. Ord. 5061 1/18/16)

2. Bus stop shelters owned and maintained by the Village, provided that:

a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle identified in Section 6-301(E); and

- b. The design of the bus shelter is compatible with development of nearby properties.

(Ord. 4374 - 6/2/08)

3. Day Care Home; (Ord.2860 - 3/18/96)

4. Public parks and recreational areas;

5. Single family detached dwellings; (Ord. 2570 5/2/94)

C. Special Uses. The following uses may be established as special uses in the R-3 District, in accordance with the procedures and standards set forth in Section 5-105:

1. Cemeteries; (Ord. 2420 7/6/93)

2. Congregate Elderly Housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility. (Ord. 4664 - 8/16/11)

3. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that: (Ord. 3672 - 8/5/02)

- a. The use is located on a lot at least five (5) acres in area; and
- b. No building is located within twenty-five (25) feet of a side lot line; and
- c. The use is no closer than 1,000 feet to any other educational institutions.

4. Day care centers and day care homes, provided that:  
(Ord. 3070-10/20/97)

a. The use is licensed by or registered with the Illinois Department of Children and Family Services in accordance with the Child Care Act of 1969. (Ill. Rev. Stat. ch 23, par. 2211 et seq.). (Ord. 3070-10/20/97)

b. The use is located on a parcel of no less than five (5) acres in size. (Ord. 3070-10/20/97)

5. Governmental uses; (Ord. 4374 - 6/2/08)

6. Places of worship which may include overnight shelter for up to eight (8) adults;

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

a. Residential planned development provided that:

1. Private open space is provided as follows:

a. Single family detached units shall have at least 450 square feet of usable, private green space adjacent to each unit with some separation from neighbors' space and with direct access from the unit.

b. Townhouses and multi-family units shall have at least two hundred (200) square feet of private open space per unit. Such open space can be located on a patio, deck, balcony, or next to the building or combination thereof.

2. Common Open Space. At least twenty-five (25) percent of the area of the development shall be maintained as common open space.

3. Thirty (30) percent less side or rear setbacks may be permitted for every ten (10) percent of private open space more than the minimum required, provided that the required distance between buildings is maintained and provided that the windows in adjacent buildings are not aligned so as to ensure privacy of the residents; (Amd. Ord. 5312 – 7/16/18)

4. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum; (Amd. Ord. 5312 – 7/16/18)

5. Density and Bonuses. Except as otherwise provided in this Subsection, the density for dwellings shall not exceed 2.5 dwellings per acre. Density may be increased up to four (4) dwelling units per acre according to the following:

a. one (1) unit per acre for every twenty (20) percent (minimum) of common open space is provided in addition to the minimum required; or

b. one (1) unit per acre for every 1200 (minimum) linear feet of boulevard treatment of a street; or

c. one (1) unit per acre if all other optional bonuses in Subsection (6) are provided.  
(Amd. Ord. 5312 – 7/16/18)

6. Optional Bonuses. Additional density bonuses may be permitted, provided that the applicant provides the following for the proposed development: (Amd. Ord. 5312 – 7/16/18)

a. Boulevard treatment of a street, including a wide landscaped median strip or island in the middle of a street;

b. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;  
c. Buildings oriented for solar heating;  
d. Less than fifty (50) percent of garage doors facing the street or common courtyard;  
e. Garbage enclosures and places for recreational vehicles hidden from view from the street;  
and

f. Attractive non-standard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics.

(Ord. 4574 - 7/6/10)

8. Public utility structures other than electrical generating facilities, provided that:

(Ord. 3672 - 8/5/02)

a. No building is located within twenty-five (25) feet of a side lot line;  
b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;  
c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within three hundred (300) feet of any stream or other body of water or any existing or proposed dwelling; and  
d. The standards of Section 6-311 are met for the applicable structures / utilities.

(Ord. 4374 - 6/2/08)

9. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.”

(Ord. 4442 - 12/15/08)

## SECTION 9

The Code, as amended, is hereby further amended to delete in their entirety the texts of Paragraphs A (Purpose), B (Permitted uses) and C (Special uses) of Section 6-204.5 (R-3A RESIDENTIAL DISTRICT) and to substitute the following or the new texts of Paragraphs A, B and C of Section 6-204.5:

### “SECTION 6-204. R-3A RESIDENTIAL DISTRICT

A. Purpose. To bring existing lots into conformance with zoning standards and facilitate remodeling and additions. The R-3A Residential District shall not apply to lots recorded after January 1, 2006.

B. Permitted Uses. The following uses may be established as permitted uses in the R-3A District, in accordance with the procedures established in Section 5-101 through 5-104:

1. Accessory uses, as provided in Section 6-302; (Ord. 4374 - 6/2/08)
  - a. Garages for two (2) vehicles facing a public street or side-loaded;
  - b. Garages for three (3) vehicles facing a public street on the primary front yard provided that:
    - i. The bay for the third vehicle is setback a minimum of three (3) feet from the primary garage;
    - ii. The three (3) vehicle garage width constitutes less than 55% of the total building width; and
    - iii. Driveways widths are less than 25-feet at the point where it crosses a sidewalk.
  - c. Garages for three (3) vehicles facing a public street on the side yard of a corner lot provided that: The bay for the third vehicle is offset a minimum of one (1) foot from the primary garage;
  - d. Garages for three (3) or four (4) vehicles if it is side-loaded and not facing a public street.

(Amd. Ord. 5061 - 1/18/16)

2. Bus stop shelters owned and maintained by the Village, provided that:
  - a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle identified in Section 6-301(E); and
  - b. The design of the bus shelter is compatible with development of nearby properties.

(Ord. 4374 - 6/2/08)

3. Day Care Home;
4. Public parks and recreational areas;
5. Single family detached dwellings;

C. Special Uses. The following uses may be established as special uses in the R-3A District, in accordance with the procedures and standards set forth in Section 5-105:

1. Cemeteries;
2. Congregate Elderly Housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility. (Ord. 4664 - 8/1/11)
3. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that:
  - a. The use is located on a lot at least five (5) acres in area; and
  - b. No building is located within twenty-five (25) feet of a side lot line; and
  - c. The use is no closer than 1,000 feet to any other educational institutions.
4. Day care centers and day care homes, provided that:
  - a. The use is licensed by or registered with the Illinois Department of Children and Family Services in accordance with the Child Care Act of 1969. (Ill. Rev. Stat. ch 23, par. 2211 et seq.).
  - b. The use is located on a parcel of no less than five (5) acres in size.
5. Governmental uses;
6. Places of worship which may include overnight shelter for up to eight (8) adults;
7. Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.
  - a. Residential planned development provided that:
    1. Private open space is provided as follows:
      - a. Single family detached units shall have at least 450 square feet of usable, private green space adjacent to each unit with some separation from neighbors' space and with direct access from the unit.
      - b. Townhouses and multi-family units shall have at least two hundred (200) square feet of private open space per unit. Such open space can be located on a patio, deck, balcony, or next to the building or combination thereof.
    2. Common Open Space. At least twenty-five (25) percent of the area of the development shall be maintained as common open space.
    3. Thirty (30) percent less side or rear setbacks may be permitted for every ten (10) percent of private open space more than the minimum required, provided that the required distance between buildings is maintained and provided that the windows in adjacent buildings are not aligned so as to ensure privacy of the residents; (Amd. Ord. 5312 – 7/16/18)
    4. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum; (Amd. Ord. 5312 – 7/16/18)

5. Density and Bonuses. Except as otherwise provided in this Subsection, the density for dwellings shall not exceed 2.5 dwellings per acre. Density may be increased up to four (4) dwelling units per acre according to the following:

- a. one (1) unit per acre for every twenty (20) percent (minimum) of common open space is provided in addition to the minimum required; or
  - b. one (1) unit per acre for every 1200 (minimum) linear feet of boulevard treatment of a street; or
  - c. one (1) unit per acre if all other optional bonuses in Subsection (6) are provided.
- (Amd. Ord. 5312 – 7/16/18)

6. Optional Bonuses. Additional density bonuses may be permitted, provided that the applicant provides the following for the proposed development: (Amd. Ord. 5312 – 7/16/18)

- a. Boulevard treatment of a street, including a wide landscaped median strip or island in the middle of a street;
  - b. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;
  - c. Buildings oriented for solar heating;
  - d. Less than fifty (50) percent of garage doors facing the street or common courtyard;
  - e. Garbage enclosures and places for recreational vehicles hidden from view from the street;
- and
- f. Attractive non-standard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics.

(Ord. 4574 - 7/6/10)

8. Public utility structures other than electrical generating facilities, provided that:

- a. No building is located within twenty-five (25) feet of a side lot line;
- b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;
- c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within three hundred (300) feet of any stream or other body of water or any existing or proposed dwelling; and
- d. The standards of Section 6-311 are met for the applicable structures/ utilities.

(Ord. 4374 - 6/2/08)

9. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.”  
(Ord. 4442 - 12/15/08)

## SECTION 10

The Code, as amended, is hereby further amended to delete in their entirety the texts of Paragraphs A (Purpose), B (Permitted Uses) and C (Special Uses) of Section 6-205 (R-4 RESIDENTIAL DISTRICT) and to substitute the following as the new texts of paragraphs A, B and C of Section 6-205:

### **“SECTION 6-205. R-4 RESIDENTIAL DISTRICT**

A. Purpose. The R-4 Residential District is established to provide residential opportunities at a slightly higher density than that of the R-3 District.

B. Permitted Uses. The following uses may be established as permitted uses in the R-4 District, in accordance with the procedures established in Section 5-101 through 5-104:

1. Accessory uses, as provided in Section 6-302;
2. Bus stop shelters owned and maintained by the Village, provided that:
  - a. No bus stop shelter is located within thirty-five (35) feet of a street intersection or within a clear sight triangle identified in Section 6-301(E); and
  - b. The design of the bus shelter is compatible with development of nearby properties.
3. Public parks and recreational areas; and
4. Single family detached, townhouse and multi-family dwellings;

C. Special Uses. The following uses may be established as special uses in the R-4 District, in accordance with the procedures and standards set forth in Section 5-105:

1. Bus terminals;
2. Cemeteries;
3. Convents, monasteries and schools, limited to public and private not-for-profit preschools, elementary and secondary schools and colleges/universities with day and boarding programs, provided that:
  - a. The use is located on at least five (5) acres in area; and
  - b. No building is located within twenty-five (25) feet of a side lot line; and
  - c. The use is located no closer than 1,000 feet to any other educational institutions.
4. Congregate elderly housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility.
5. Day care centers and day care homes, provided that the use is 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.).
6. Governmental uses;
7. Public transportation facilities;
8. Places of worship which may include overnight shelter for up to eight (8) adults;
9. Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.
  - a. Residential planned development, provided that:
    1. Private open space is provided as follows:
      - a. Single family detached units shall have at least 450 square feet of usable, private green space adjacent to each unit with some separation from neighbors' space and with direct access from the unit.
      - b. Townhouses and multi-family units shall have at least two hundred (200) square feet of private open space per unit. Such open space can be located on a patio, deck, balcony, or next to the building or combination thereof.
    2. Common Open Space: At least twenty (20) percent of the area of the development shall be maintained as common open space.
    3. Thirty (30) percent less side or rear setback may be permitted for every ten (10) percent of private open space more than the minimum required, provided that the required distance between buildings is maintained and provided that the windows in adjacent buildings are not aligned so as to ensure privacy of the residents; (Amd. Ord. 5312 – 7/16/18)
    4. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum; (Amd. Ord. 5312 – 7/16/18)



5. Density for dwellings shall not exceed six (6) units per acre, and the higher end of this limit shall only be considered provided that:

- a. one (1) unit per acre for every twenty (20) percent (minimum) of common open space provided in addition to the minimum required; or
  - b. one (1) unit per acre for every 1200 (minimum) linear feet of boulevard treatment of a street; or
  - c. one (1) unit per acre if all other optional bonuses set forth in Subsection (6) are provided.
- (Amd. Ord. 5312 – 7/16/18)

6. Optional Bonuses. Additional density bonuses may be permitted, provided that the applicant provides the following in the proposed development:

- a. Boulevard treatment of a street, including a wide landscaped medium strip or island in the middle of a street;
  - b. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;
  - c. Buildings oriented for solar heating;
  - d. Less than fifty (50) percent of garage doors facing the street or common courtyard;
  - e. Garbage enclosures and places for recreational vehicles hidden from view from the street;
- and
- f. Attractive non-standard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics.

10. Utility substations. Public utility structures other than electrical generating facilities, provided that:

- a. No building is located within twenty-five (25) feet of a side lot line;
- b. The facility is constructed and operated to comply with all applicable local, state and federal regulations;
- c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within three hundred (300) feet of any stream or other body of water or any existing or proposed dwelling; and
- d. The standards of Section 6-311 are met for the applicable structures/ utilities.

11. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.”

## SECTION 11

The Code, as amended, is hereby further amended to delete in its entirety the text of Subparagraph 3.a of Paragraph C (Special uses) of Section 6-206 (RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT) and to substitute the following as the new texts of Subparagraph 3.a of Paragraph C of Section 6-206:

### **“SECTION 6-206.C.3.a RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT**

3. Congregate elderly housing, provided:

- a. The use is located no closer than 1,000 feet to any other congregate elderly housing facility.

## SECTION 12

The Code, as amended, is hereby further amended to delete in its entirety the text of Subparagraph 6 of Paragraph C (Special uses) of Section 6-207 (BIZ GENERAL BUSINESS DISTRICT) and to substitute the following as the new text of Subparagraph 6 of paragraph C of Section 6-207:

### **“SECTION 6-207.C.6 BIZ GENERAL BUSINESS DISTRICT.**

6. Congregate elderly housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility.”

## SECTION 13

The Code, as amended, is hereby further amended to delete from the “Table of Uses” of Section 6-209 (OLD ORLAND HISTORIC DISTRICT) the following text from “2. RESIDENTIAL USES”: “Small residential care homes up to 6 residents; Permitted; Residential Areas”

## SECTION 14

The Code, as amended, is hereby further amended to delete in its entirety the text of Paragraph C (Special uses) of Section 6-210 (COR MIXED USE DISTRICT) and to substitute the following as the new text of Paragraph C of Section 6-210:

### **“SECTION 6-210.C COR MIXED USE DISTRICT.**

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

1. Animal Services; (Ord. 4664 – 8/1/11)
2. Attached dwellings, provided that:
  - a. No dwelling units are located on the street level unless the dwelling units are part of a mixed use development. (Ord. 3837 – 12/1/03)
  - b. If the dwelling units are part of a larger mixed use development that is over 100,000 square feet in floor area, no more than forty (40) percent of the square footage is devoted to residential uses. (Ord. 4880 - 2/3/14)
3. Bus terminals;
4. Clubs and lodges;
5. Colleges and universities;
6. Community centers;
7. Commercial retail establishments with a floor area of 50,000 square feet or greater; (Amd. Ord. 4792 – 2/4/13)
8. Congregate elderly housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility; (Ord. 3281 - 8/16/99; Amd. Ord. 4664 – 8/1/11)
9. Drive-in service windows, provided that:
  - a. The principal use is an office, retail establishment, financial institution or restaurant located on the same lot;

b. Stacking spaces are provided per Code requirements as indicated in Section 6-306, Off Street Parking; and

c. The amount of stacking space and circulation patterns on the lot is adequate to keep traffic from backing up into the street, based upon documentation of similar circumstances.

(Ord. 4374 – 6/2/08; Amd. Ord. 4535 – 1/18/10)

10. Funeral parlor; (Ord. 4647 – 5/16/11)

11. Health clubs and fitness centers;

12. Light industry and assembly; (Ord. 2420 - 7/6/93)

13. Museums, civic and cultural centers; (Ord. 4374 – 6/2/08)

14. Outside, open markets; (Ord. 4374 – 6/2/08)

15. Pawn shops/ Pawnbrokers subject to licensing by the Village and State (per 205 ILCS 510/ Pawnbroker Regulation Act) and provided that the building or unit in building is not closer than 1,000 feet to another pawn shop/ pawnbroker building/unit or to the property line of a school, child care facility or park; (Ord. 4574 – 7/6/10)

16. Private parks and recreational areas; (Ord. 4610 – 12/20/10)

17. Places of worship which may include overnight shelter for up to eight (8) adults;

18. Planned Developments, provided that:

a. At least twenty (20) percent of the net area of the development shall be maintained as common open space;

b. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum; (Ord. 2746 6/5/95; Amd. Ord. 4015 – 5/2/05)

c. Optional Bonuses. Additional building square footage bonuses may be permitted, provided that the applicant provides the following in the proposed development: (Ord. 4015 – 5/2/05)

1. Boulevard treatment of a street, including a wide landscaped median strip.

2. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;

3. Orientation of buildings for solar heating;

4. Less than fifty (50) percent of garage doors facing the street or common courtyard;

5. Garbage enclosures hidden from view from the street;

6. Attractive, nonstandard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics. (Ord.2746 6/5/95)

19. Public Transportation facilities;

20. Restaurants, and outdoor seating for restaurants, within 300 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended. (Ord. 3354 – 4/17/00; Amd. Ord. 3837 – 12/1/03; Amd. Ord. 4044 – 7/5/05; Ord. 4738 – 6/18/12; Amd. Ord. 4769 – 12/3/12; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5017 – 8/17/15; Amd. 5061 – 1/18/16)

21. Self-service storage facilities, provided that they are wholly contained within a building with access to the individual units provided through the building interior. (Ord. 3199 11/16/98)

22. Sites or site plans with total building area greater than 50,000 square feet. This special use is in conjunction with any principal special use; (Ord. 4374 – 6/2/08)

23. Stadia, auditoria and arenas; and

24. Tattoo/ body piercing shops subject to licensing by the Village and registering with the State (per 410 ILCS 54/ Tattoo and Body Piercing Establishment Registration Act) and provided that the building or unit in building is not closer than 1,000 feet to another tattoo/body piercing establishment building/ unit or to the property line of a school, child care facility or park; (Ord. 4574 – 7/6/10)
  25. Theaters, except open-air drive-in.
  26. Public utility structures and utility substations, provided that:
    - a. No building is located within twenty-five (25) feet of a side lot line;
    - b. The facility is constructed according to design guidelines and is operated to comply with all applicable local, state and federal regulations; and
    - c. No above-ground structure for the treatment or disposal of wastewater and no surface disposal of wastewater is located within 300 feet of any stream or other body of water or any existing or proposed dwelling.
    - d. The standards of Section 6-311 are met for the applicable structures / utilities.
- (Ord. 4374 – 6/2/08)
27. Vehicle rental. (Ord.2959 11/18/96)
  28. Wireless communication facilities.”

## SECTION 15

The Code, as amended, is hereby further amended to delete from the “Table of Uses” of Subparagraph C.1 of Section 6-212 (VILLAGE CENTER DISTRICT (VCD)) the following text from “3. Residential uses”:

“Residential care homes 1 to 6 residents; Permitted use: Permitted Use”

“Residential care homes over 6 residents; Permitted Use; Special Use”

## SECTION 16

The Code, as amended, is hereby further amended to add the following to Paragraph B (Permitted uses) of Section 6-213:

“7. Commuter rail stations including accessory restaurant/retail uses within the station.”

## SECTION 17

The Code, as amended, is hereby further amended to delete in its entirety the text of paragraph C (Permitted Accessory Structure and Uses) of Section 6-302 (ACCESSORY STRUCTURES AND USES) and to substitute the following as the new text of Paragraph C of Section 6-302:

### “SECTION 6-302.C ACCESSORY STRUCTURES AND USES

- C. **Permitted Accessory Structures and Uses.** The following tables summarize the permitted accessory structures. Please refer to the text following the tables for further details:

*EXHIBIT C - Table 6-302.C.1 (A) – Attached Accessory Structures*

*EXHIBIT D - Table 6-302.C.1 (B) – Detached Accessory Structures*

The following accessory structures and uses are permitted and may be located in setbacks subject to the following restrictions:

1. **Air Conditioning:** May project into all rear setbacks and may project into side yard only if it is not a required setback.
2. **Arbors, Pergolas and Trellises:** Are not allowed in front setback between building and property line and shall be five (5) feet from the property line. Arbors and trellises shall not exceed eight (8) feet in height; pergolas shall not exceed ten (10) feet in height. (Ord. 5167 – 2/20/17)
3. **Awnings, Marquees, and Canopies:** May project not more than three (3) feet into front (including approved existing front setbacks which are less than the required front setback), side and rear setbacks. (Ord. 3281 - 8/16/99)
4. **Balconies:** May project not more than three (3) feet into a front (including approved existing front setbacks which are less than the required front setbacks), side or rear setback. (Ord. 3281 - 8/16/99)
5. **Basketball Poles and Hoops:** May be permitted on driveways in front, side and rear setbacks of all zoning districts except the BIZ General Business District and Village Center District. No lights shall be permitted accessory to the poles or hoops. (Ord. 2462 – 10/18/93)
6. **Bay Windows:** May project not more than three (3) feet into a front (including approved existing front setbacks which are less than the required front setbacks), side or rear setback. (Ord. 3281 - 8/16/99)
7. **Chimneys:** Attached chimneys and foundations for attached chimneys may project not more than twenty-four (24) inches into a side setback, and may be permitted in rear setbacks.
8. **Decks:** See Terraces. (Ord. 4373 - 6/2/08)
9. **Eaves and Gutters:** On principal buildings or attached accessory buildings may project not more than four (4) feet into a front (including approved existing front setbacks which are less than the required front setbacks) and rear setback, and not more than twenty-four (24) inches into a side setback. (Ord. 3281 - 8/16/99)
10. **Fences:** May be permitted in front, side and rear setbacks, in accordance with the provisions of Section 6-310.
11. **Fire Escapes:** Open or enclosed, may be permitted in rear setbacks, and may project into a required front setback or side setback adjoining a street not more than five (5) feet, and into a required interior side setback not more than three and one-half (3-1/2) feet.
12. **Flagpoles:** May be permitted in front, side, or rear setbacks, but no more than ten feet (10') from the front of a building, no higher than eighteen (18) feet, and the flag shall be no larger than twenty-five (25) square feet. No more than one (1) flagpole is permitted per residential lot.
13. **Garages:**
  - a. In the E-1 Estate Residential District detached and attached garages are both allowed on the same property. In the R-1, R-2, R-2A, R-3, R-3A Residential Districts and the OOH Historic District either an attached garage or a detached garage is allowed, but not both on the same property when under 21,780 square feet. In the OOH Historic District, the

- attached garage may front-load to the right-of-way if it is at least 25 feet behind the street-facing façade. (Ord. 4373 - 6/2/08)
- b. Attached garages shall not exceed 50% of first floor gross area of the entire building including the garage, with the maximum size of the garage not to exceed 1,500 square feet. (Ord. 5167 – 2/20/17)
  - c. Detached garages may be permitted in rear and side setbacks within five (5) feet of the lot lines subject to staying outside of existing easements. (Ord. 4373 – 6/2/08)
  - d. Detached garages on single family lots in the R-2, R-3 and R-4 Districts may not exceed 720 square feet in size. Detached garages may be no higher than thirteen (13) feet to the mean height or sixteen (16) feet to the mean height in Old Orland Historic District, unless a second story is added over the garage, or it is to be used as an accessory dwelling (see Section 6-302.B) or as additional space for uses such as personal office, weight room, hobby space etc. subject to Section 6-303. In no case may it be higher than two stories or 17 feet to the mean height. (Ord. 2959 – 11/18/96; Amd. Ord. 3672 – 8/5/02; Amd. Ord. 3837 – 12/1/03; Amd. Ord. 4015 – 5/2/05; Amd. Ord. 4125 – 4/17/06; Amd. Ord. 4210 – 12/18/06; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4574 – 7/6/10; Amd. Ord. 4996 – 6/15/15)
  - e. In the E-1 District, one attached and one detached garage no larger than 1,000 square feet each is allowed per dwelling unit. In the R-1 Districts, one attached or detached garage no larger than 800 square feet is allowed per dwelling unit. Detached garages may be no higher than thirteen (13) feet to the mean height. (Ord. 2462 – 10/18/93; Amd. Ord. 4015 – 5/2/05; Amd. Ord. 4210 – 12/18/06; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4996 – 6/15/15)
  - f. In any subdivision or development located in a Residential District, which subdivision or development was finally approved by the corporate authorities of the Village subsequent to January 1, 2000, and for which subdivision or development building permits had been issued on or before March 19, 2008, attached garages are permitted to encroach into the front setback, but outside of any existing easement, by no more than five (5) feet. (Ord. 4926 – 9/15/14)
14. **Garbage Containers, Dumpsters and Enclosures:** May not be stored in residential front setbacks. Also, see Section **6-302.D**. (Ord. 3199 - 11/16/98; Amd. Ord. 4574 - 7/6/10)
  15. **Geothermal Energy Systems:** See Section 6-314 Environmental Technology Standards. (Ord. 4574 - 7/6/10)
  16. **Green Roof/ Eco-Roof:** See Section 6-302.H.1.c. (Ord. 4574 - 7/6/10)
  17. **Ice Skating Rinks:** May be permitted in rear setbacks in all districts except the BIZ General Business District, Village Center District and the (8/02) MFG Manufacturing District, and must be at least ten (10) feet from the side and rear lot line. (Ord. 4574 - 7/6/10)
  18. **Lawn Furniture:** Including benches, sun dials, bird baths, statues and similar architectural features may be permitted in rear, side and front setbacks.
  19. **Lawn Sprinklers:** Lawn sprinklers and irrigation systems are allowed in the front and rear yards. Lawn sprinkler heads may be permitted in public parkways (at the risk of the private property owner) but must be either installed along the sidewalk's edge when available or setback a minimum of three (3) feet from the curb of the street. Private property owners with sprinklers installed in the public right-of-way are responsible for any damage incurred by any public work maintaining right-of-way infrastructure (i.e. snow plowing, water/sewer maintenance etc.). (Ord. 4926 - 9/15/14)

20. **Laundry Drying Equipment:** May be permitted in side and rear setbacks in all districts except the BIZ General Business District, Village Center District and the MFG Manufacturing District, so long as they are located at least five (5) feet within the lot lines and do not obstruct storm water flow. (Ord.2746 - 6/5/95)
21. **Mailboxes:** May be permitted in any front and side setbacks. Mailboxes damaged beyond repair by Village personnel or their agents in the performance of their duty shall be replaced by a standard 4 x 4 wood post and support and a standard metal type mailbox, model type 1C. Structures shall be no greater than 54" in height, 34" in width (parallel to the street), or 24" in depth. No mailbox structure base can be closer than 12" to the back of curb for the first 36" above grade. No mailbox or mailbox structure shall be permitted to contain any electrical or plumbing. Mailboxes shall be used only for the purposes of mail delivery. The bottom of the mailbox shall be 40" - 44" above the grade. The front of the mailbox shall be even with the back of curb. (Ord. 3242 - 4/19/99 & Ord. 3281 - 8/16/99)
22. **Ornamental Lights:** May be permitted in front, side, and rear setbacks subject to lighting standards provided in Section 6-407.1. (Amd. Ord. 5167 – 2/20/17)
23. **Outdoor Fireplaces:** May be permitted in rear setbacks at least five (5) feet from the lot line in all districts except the BIZ General Business District, Village Center District and except as otherwise permitted for outdoor eating areas in commercial districts. (Ord. 2462 - 10/18/93)
24. **Parking Lots:** May be permitted only as accessory uses and structures to a principal structure. Accessory parking lots shall be either pervious or impervious but shall not be made of gravel, dirt or other aggregate/loose material. They shall be asphalt, concrete, paver or similarly firm material and comply with the landscaping, parking and lot coverage regulations of this Code accordingly. (Ord. 4996 – 6/15/15)
25. **Patios:** See Terraces. (Ord. 4373 – 6/2/08)
26. **Pet Shelters:** May be permitted in rear setbacks of all districts except the BIZ General Business District and Village Center District, See Section 6-302.E. (Ord. 2462 – 10/18/93)
27. **Playgrounds:** May be permitted in side and rear setbacks in all districts except the MFG Manufacturing District, so long as they are located at least five (5) feet within the lot lines and do not obstruct storm water flow. (Ord. 2756 – 6/5/95)
28. **Playhouses, Treehouses, Gazebos and Open-Sided Summer Houses:** May be permitted in side and rear setbacks in all districts except the BIZ General Business District, Village Center District and the MFG Manufacturing District, so long as they are located at least five (5) feet within the lot lines and do not obstruct storm water flow. (Ord. 2462 – 10/18/93)
29. **Porches:** See Terraces. (Ord. 4373 – 6/2/08)
30. **Rain Barrels and Rain Gardens:** See Section 6-302.H.1.h. (Ord. 4574 – 7/6/10)
31. **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. (Ord. 3672 – 8/5/02; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4738 – 6/18/12)
32. **Satellite Dishes:** May be permitted in rear setbacks. See Section 6-311 for further requirements on satellite dishes. (Ord. 2462 – 10/18/93)
33. **Sheds and Storage Buildings:** May be permitted in rear setbacks so long as they are:
- a. Limited to one (1) per lot and not exceeding two hundred (200) square feet. Sheds and storage buildings exceeding (100) square feet for non-residential uses must be constructed with primary material that match the principal structure; (Ord. 2462 – 10/18/93)
  - b. Located off easements, at least five (5) feet from the lot lines and do not obstruct storm water flow; and no closer than ten (10) feet to the principal building; and
  - c. Do not exceed fifteen (15) feet in height to the highest point of the roof. The height of a shed shall not exceed the height of the top of the roof of the principal structure of the parcel on which it is located.
  - d. (Amd. Ord. 5312 – 7/16/18)
34. **Signs:** May be permitted in front, side and rear setbacks, as provided in Section 6-307.
35. **Sills, Belt Courses, Cornices and Other Ornamental Features of the Principal Structure:** May be permitted in front, side, and rear setbacks, so long as they do not project more than eighteen (18) inches into a setback.
36. **Solar Energy Systems:** See Section 6-314 Environmental Technology Standards. (Ord. 4574 – 7/6/10)
37. **Steps, open:** May be permitted in front, side, and rear setbacks.
38. **Storm Water Cistern:** See Section 6-302.H.1.j. (Ord. 4574 – 7/6/10)
39. **Swimming Pools:** See Section 6-310.1 Swimming Pools. May be permitted in rear setbacks in all districts except the BIZ General Business District, Village Center District and the MFG Manufacturing District, and must be at least ten (10) feet from the side and rear lot line. (Ord. 2462 – 10/18/93; Amd. Ord. 4574 – 7/6/10)
40. **Television and Radio Antennae:** May be permitted in rear setbacks and on roofs, but may be no higher than forty-five (45) feet if ground mounted or ten (10) feet higher than the peak of the roof if roof mounted.
41. **Tennis and Basketball Courts:** May be permitted in rear setbacks, not less than five (5) feet from the lot line in all districts except the BIZ General Business District, Village Center District and MFG Manufacturing District. No lights shall be permitted accessory to the court. A fence may be located at the perimeter of a court subject to the following conditions: (Ord. 2462 – 10/18/93; Amd. Ord. 3837 – 12/1/03)
- e. No such fence shall exceed 10 feet in height.
  - f. Materials for court fences may include green vinyl coated chain link or a comparable material as may be determined appropriate by the Development Services Director. (Amd. Ord. 5167 – 2/20/17)
  - g. The view of court fences from adjacent properties shall be obscured by the planting of shrubbery, evergreen trees, or comparable plant materials subject to the approval of the Development Services Director. (Amd. Ord. 5167 – 2/20/17)
42. **Tensile Canopies:** Tensile Canopies shall be permitted with the following regulations:
- h. The Tensile Canopy shall not extend more than fifty percent (50%) or fifteen (15) feet into the setback area, whichever is less;



- i. A minimum of forty four (44) inches of unobstructed width of the sidewalk shall be maintained from the subject curb line;
  - j. A minimum vertical clearance of eight (8) feet shall be maintained in all areas below the Tensile Canopy;
  - k. The Tensile Canopy width shall not exceed seventy five percent (75%) of the subject building face;
  - l. All Tensile Canopy materials and structures shall comply with the rules and regulations set forth in Chapter 5 (Fire Code) of the Village Code of Ordinances; and
  - m. All Tensile Canopy materials and structures shall be removed from November 1st to May 1st of the following year. (Ord. 5167 – 2/20/17)
43. **Terraces, Patios, Porches and Decks:** May be permitted to project not more than five (5) feet into a front (including approved existing front setbacks which are less than the required front setbacks) setback in front of the building line, and terraces, patios, and decks may be permitted up to five (5) feet from the rear and side lot lines. Porches may be permitted to project not more than five (5) feet into a rear setback behind the building line. (Ord. 3199 – 11/16/98; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5126 – 9/19/16)
44. **Underground Storm Water Cistern/Dry Well:** See Section 6-302.I. (Ord. 4574 – 7/6/10;” Amd. Ord. 5126 – 9/19/16)

TABLE 6-302.C.1 (A) – ATTACHED ACCESSORY STRUCTURES

<b>Permitted Structures</b> P = Permitted PC = Permitted with Conditions NP = Not permitted	<b>Residential Zoning Districts</b>					<b>Mixed Use Zoning Districts</b>						<b>Non-Residential Zoning Districts</b>			<b>Setbacks Permitted</b> F = Front S = Side R = Rear * = specific limits	<b>Specific Standards</b> See Section:
	<b>E-1</b>	<b>R-1</b>	<b>R-2 &amp; R-2A</b>	<b>R-3 &amp; R-3A</b>	<b>R-4</b>	<b>LSPD</b>	<b>OOH</b>	<b>CO R</b>	<b>OR I</b>	<b>VC D</b>	<b>RS B</b>	<b>BI Z</b>	<b>MF G</b>	<b>O L</b>		
Awnings, Marquees, and Canopies	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.3
Balconies	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.4
Bay Windows	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.6
Chimneys	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S*, R	6-302.C.7
Decks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	<b>6-302.C.8</b> 6-302.C.42
Eaves and Gutters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.9
Fire Escapes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R	6-302.C.11
Garages																6-302.C.13

Green Roof/Eco-Roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A	6-302.H.1.c
Ornamental Lights	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S, R	6-302.C.22
Patios	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.25

TABLE 6-302.C.1 (A) – ATTACHED ACCESSORY STRUCTURES

<b>Permitted Structures</b> P = Permitted PC = Permitted with Conditions NP = Not permitted	<b>Residential Zoning Districts</b>					<b>Mixed Use Zoning Districts</b>						<b>Non-Residential Zoning Districts</b>			<b>Setbacks Permitted</b> F = Front S = Side R = Rear * = specific limits	<b>Specific Standards</b> See Section:
	<b>E-1</b>	<b>R-1</b>	<b>R-2 &amp; R-2A</b>	<b>R-3 &amp; R-3A</b>	<b>R-4</b>	<b>LSP D</b>	<b>OO H</b>	<b>CO R</b>	<b>OR I</b>	<b>VC D</b>	<b>RS B</b>	<b>BI Z</b>	<b>MF G</b>	<b>O L</b>		

Porches	P	P	P	P	P	P	P	P	P	P	P	P	NP	P	R*	6-302.C.29
Satellite Dishes	P	P	P	P	P	P	NP	P	P	P	P	P	P	P	R	6-311
Sills, Belt Courses, Cornices, and other Ornamental Features of the Principal Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.35
Steps (open)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F, S, R	6-302.C.37
Television and Radio Antennae	P	P	P	P	P	P	P	P	P	P	P	P	P	P	R	6-302.C.40
Tensile Canopies	N P	N P	N P	N P	N P	PC	NP	PC	NP	PC	NP	PC	NP	NP	F*, S*, R*	6-302.C.
Terraces	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.

TABLE 6-302.C.1 (B) – ATTACHED ACCESSORY STRUCTURES

<b>Permitted Structures</b> P = Permitted PC = Permitted with Conditions NP = Not permitted	<b>Residential Zoning Districts</b>					<b>Mixed Use Zoning Districts</b>						<b>Non-Residential Zoning Districts</b>			<b>Setbacks Permitted</b> F = Front S = Side R = Rear * = specific limits	<b>Specific Standards</b> See Section:
	<b>E-1</b>	<b>R-1</b>	<b>R-2 &amp; R-2A</b>	<b>R-3 &amp; R-3A</b>	<b>R-4</b>	<b>LSPD</b>	<b>OOH</b>	<b>COR</b>	<b>ORI</b>	<b>VC D</b>	<b>RSB</b>	<b>BIZ</b>	<b>MF G</b>	<b>OL</b>		

Arbors, Pergolas and Trellises	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	S*, R*	6-302.C.2
Basketball Poles and Hoops	P C	P C	PC	PC	P C	PC	PC	PC	PC	NP	PC	NP	PC	PC	F, S, R	6-302.C.5
Fences	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-310
Flagpoles	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.12
Garages																6-302.C.13
Garbage Containers, Dumpsters and Enclosures	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	S, R	6-302.C.14 6-302.D 6-304.C.8
Geothermal Energy Systems	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S, R	6-314
Green Roof/Eco-Roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A	6-302.H.1.c
Ice Skating Rinks	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	R*	6-302.C.17
Lawn Furniture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F, S, R	6-302.C.18
Lawn Sprinklers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F, R	6-302.C.19
Laundry Drying Equipment	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	S*, R*	6-302.C.20
Mailboxes	P C	P C	PC	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S	6-302.C.21
Outdoor Fireplaces	P	P	P	P	P	P	P	P	P	NP	P	NP	P	P	R*	6-302.C.23

TABLE 6-302.C.1 (B) – ATTACHED ACCESSORY STRUCTURES

<b>Permitted Structures</b> P = Permitted PC = Permitted with Conditions NP = Not permitted	<b>Residential Zoning Districts</b>					<b>Mixed Use Zoning Districts</b>						<b>Non-Residential Zoning Districts</b>			<b>Setbacks Permitted</b> F = Front S = Side R = Rear * = specific limits	<b>Specific Standards</b> See Section:
	<b>E-1</b>	<b>R-1</b>	<b>R-2 &amp; R-2A</b>	<b>R-3 &amp; R-3A</b>	<b>R-4</b>	<b>LSP D</b>	<b>OO H</b>	<b>CO R</b>	<b>OR I</b>	<b>VC D</b>	<b>RS B</b>	<b>BI Z</b>	<b>MF G</b>	<b>OL</b>		
Outside Storage	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.I
Parking Lots	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.24 6-306
Pet Shelters	P	P	P	P	P	P	P	P	P	NP	P	NP	P	P	R	6-302.C.26 6-302.E
Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	NP	P	S*, R*	6-302.C.27
Playhouses, Treehouses, Gazebos and Open-Sided Summer Houses	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	S*, R*	6-302.C.28
Rain Barrels and Rain Gardens	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	S*, R*	6-302.H.1.h
Retaining Walls	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.31
Sheds and Storage Buildings	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	R*	6-302.C.33
Signs	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S, R	6-302.C.34 6-307
Solar Energy Systems	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.36 6-314
Stadia and Auditoria (accessory to schools only)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.F

Swimming Pools	PC	PC	PC	PC	PC	PC	PC	PC	PC	NP	PC	NP	NP	PC	R*	6-302.C.39 6-310.1
Tennis and Basketball Courts	PC	PC	PC	PC	PC	PC	PC	PC	PC	NP	PC	NP	NP	PC	R*	6-302.C.41
Storm Water Cistern	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	S*, R*	6-302.H.1.j
Vending Machines	N P	N P	N P	N P	N P	NP	NP	PC	PC	PC	NP	PC	NP	N P	F*, S*, R*	6-302.C.45
Wind Energy Conversion Systems	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.46 6-314

## SECTION 18

The Code, as amended, is hereby further amended to delete in its entirety the text of b. and c. of Subparagraph C.10 (Temporary Hiring Officers) of Section 6-304 (TEMPORARY USES) and to substitute the following as the new text of b. and c. of Subparagraph C.10 of Section 6-304:

“b. The maximum length of a permit issued for the temporary hiring office by the Building Department shall be 45 days from the date occupancy is granted for the temporary hiring office.  
c. If the temporary hiring office is a trailer or similar temporary structure, the trailer or structure shall be removed upon completion of the construction project and before a Conditional or Full Certificate of Occupancy is issued for the principle non-residential construction project.”

## SECTION 19

The Code, as amended, is hereby further amended to add the words “as determined by the Development Services Department “after the words”...basin landscaping)” in Subparagraph D.1. of Section 6-305 (LANDSCAPE AND TREE PRESERVATION).

## SECTION 20

The Code, as amended, is hereby further amended to add the words “that are visible from adjacent properties and streets” after the words “parking lots” and, further, to add the word “adjacent” between the words “and” and “property line” in Subparagraph D.6.a.1.i of Section 6-305 (LANDSCAPE AND TREE PRESERVATION).

## SECTION 21

The Code, as amended, is hereby further amended to delete in its entirety the text of Subparagraph B.2 of Section 6-306 (OFF-STREET PARKING AND LOADING REQUIREMENTS) and to substitute the following as the new text of Subparagraph B.2 of said Section 6-306:

## **“SECTION 6-306.B.2**

2. In the event that the number of parking spaces listed on Table 6-306(B) cannot be placed on the parcel in accordance with these regulations to accommodate a parking area, the Development Services Department may authorize up to a twenty percent (20%) reduction in the total number of parking spaces required on the lot. The Development Services Department may issue such an authorization only upon the request of the applicant and only upon determining that the reduction in the number of required parking spaces will not unreasonably increase parking congestion along public streets or in parking areas located on nearby lots.”

## **SECTION 22**

The Code, as amended, is hereby further amended to add the words “or modification pursuant to a special use” after the word “variance” in Subparagraph B.3 of Section 6-306 (OFF-STREET PARKING AND LOADING REQUIREMENTS).

## **SECTION 23**

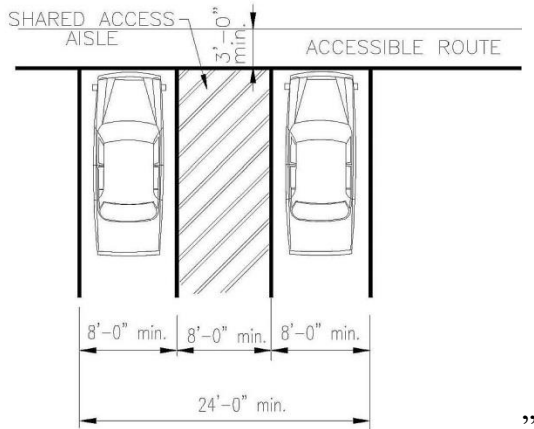
The Code, as amended, is hereby further amended by deleting the words “Residential car homes” and the corresponding words “0.25 per resident + 1 per staff person” and deleting the words “(check definition to add elderly care)” from TABLE 6-306 (B) in Subparagraph B of Section 6-306 (OFF-STREET PARKING AND LOADING REQUIREMENTS).

## **SECTION 24**

The Code, as amended, is hereby further amended to delete in its entirety the text of Subparagraph D.2.c. of Section 6-306 (OFF-STREET PARKING AND LOADING REQUIREMENTS) and to substitute the following as the new text of Subparagraph D.2.c.of Section 6-306:

## **“SECTION 6-306.D.2.c.**

c. Each parking space for the handicapped shall be at least sixteen (16) feet wide including an eight (8) foot wide access aisle. Adjacent accessible parking spaces shall be permitted to share an (8) foot wide common access aisle. However diagonal accessible parking spaces (e.g. 45°, 60°) shall not share an access aisle. Access aisles serving diagonal accessible parking spaces shall be located on the passenger side of each vehicle space. All access aisles shall blend to a common level with an accessible route and shall be diagonally striped. All parking shall comply with current Illinois ADA Accessibility regulations.



## SECTION 25

The Code, as amended, is hereby further amended to delete in its entirety the text of Section 6-307 (SIGNS) and to substitute the following as the new text of Section 6-307:

### “SECTION 6-307. SIGNS.

#### A. Purpose.

The purpose of this Section is to establish equitable regulations and promote excellence in design for communication through signage within the Village of Orland Park. These regulations were developed with the following intentions:

1. To preserve and promote the public health, safety, and welfare through the reasonable, orderly, and effective display of all signs.
2. To confirm that signs may cause harm to the public by creating obstructions, providing distractions to motorists, displacing alternative land uses, decreasing property values and aesthetics, and endangering the safety of person and property.
3. To establish the Village’s substantial and compelling interest in regulating signs in a manner as to reduce the effects and impacts signs have on the public health, safety, and welfare.
4. To preserve property values within the Village by regulating and directing the design, location, construction, and maintenance of signs.
5. To protect the Village’s physical appearance by encouraging a sense of aesthetic appreciation for the visual environment and compatibility with the surroundings.
6. To support the Village’s economy by recognizing the need for adequate site identification and maintaining effective communication between signs and the public.
7. To protect the general public, pedestrians, and motorists within the Village by assuring the design, location, construction, and maintenance of signs allow safe navigation and travel throughout the Village and ensure signs do not create distractions, obstructions, and hazards.
8. To enhance the physical appearance of site identification to be in harmony with the visual character of the Village and for the signage to be an integral part of the aesthetic of the site and be cohesive with the architectural style of associated buildings.

9. To encourage signs that support adopted Village guidelines, standards, and plans or the principles within said documents.

## **B. Applicability.**

The regulations within this Section apply to all properties within the Village's municipal boundaries except for those properties owned, used, leased, or controlled by the Village. Village signage on Village property is exempt due to the inherent public purpose of such messaging and sign copy. All signs on the exterior of a property, building, or structure, and interior signs visible from exterior windows are subject to the regulations within this Section. This Section shall not apply to the Old Orland Historic District.

## **C. General Standards.**

### **1. Village Codes.**

Signs shall meet all applicable Village codes, including the Building Code, as amended from time to time.

### **2. Interpretation.**

All regulations within this Section shall be interpreted by the Development Services Department. An interpretation may be appealed to the Plan Commission for a final decision.

- a. **Conflict.** In the event of a conflict within this Section and/or between this Section and any provision within another Village Code, the most restrictive regulation shall apply.
- b. **Substitution Clause.** To the extent the regulations of this Section 6-307 permit commercial signs, such regulations are also to permit non-commercial signs.
- c. **Minimum and Maximum.** All provisions herein shall be interpreted as maximum allowable regulations unless otherwise noted.
- d. **Measurement and Calculation.**

1. **Sign Face Area.** The sign face area (SFA) shall be the entire area of the sign face(s) on an individual wall, ground, or other type of sign. The area of a sign face shall be determined by calculating the area within a single continuous perimeter encompassing the entire advertising copy or art designed to attract attention. The area within the single continuous perimeter shall be calculated by determining the area of the smallest measurable square, circle, rectangle, or triangle within the single continuous perimeter, including the background. For ground signs with multiple faces: when two identical ground sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign face area shall be the area of one side of the



sign. In all other circumstances, the sign face area of a ground sign shall be the total sign face area of all sign faces on the ground sign. The background color of a wall sign is included within the measurement of sign face area for wall signs unless otherwise considered an architectural feature by the Development Services Department.

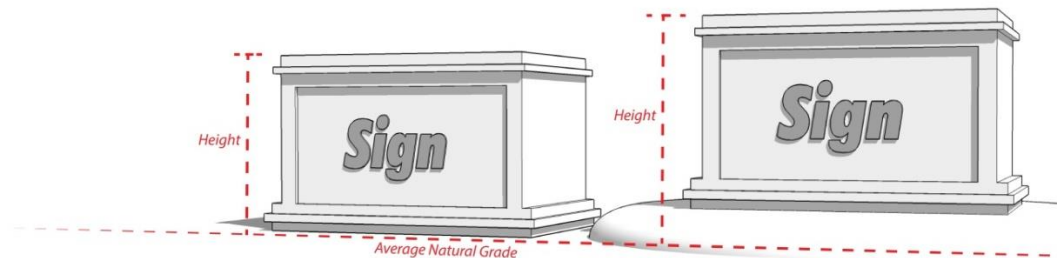
*Wall Signs*



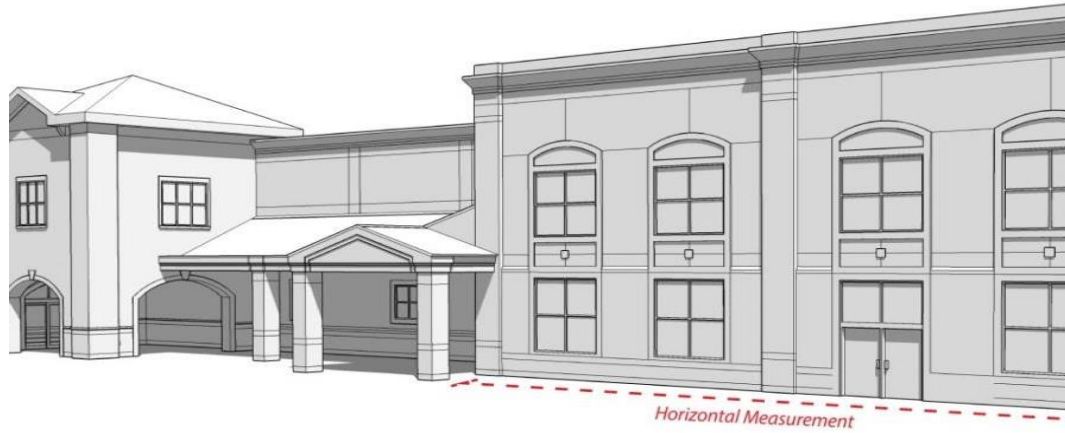
*Ground Signs*



2. **Sign Height (Ground Sign).** A ground sign shall be measured vertically from the adjacent average natural grade to the top of the sign. The measurement includes the full height of the sign, including the base or support structure and any design element surrounding or enclosing the sign face.



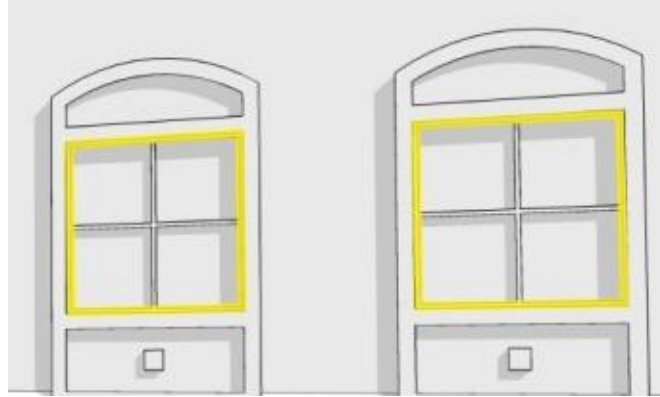
3. **Roof Signs.** The roof is measured from grade to the highest point of the roof line, parapet, or fascia of the building. Signs shall be located below this point.
4. **Tenant Frontage.** The tenant frontage is measured horizontally between the limits of the tenant's leasable space.



5. **Clearance.** Sign clearance is measured vertically from grade to the bottom of the sign.



6. **Window Signs.** The sign face area of window signs shall be measured by individual windows.



3. **Accessory Structure/Use.**

Signs shall be accessory structures/uses and shall not be principal structures/uses. As such, all signs must be accessory to an occupant of the land (or development) on which the sign is located.

4. **Distractions, Obstructions, and Hazards.**

Signs shall not cause distractions, obstructions, or hazards and shall abide by the following requirements:

- a. **Legibility.** All letters and characters on each sign shall be legible from the public right-of-way and/or the parking spaces closest to the sign. The edges of the letters and characters shall be cleanly defined, unfaded, and maintain a clear contrast with the background.
- b. **Conflict with Traffic and Pedestrian Signs.** Signs shall not conflict with traffic or pedestrian signs. Signs and/or illumination shall not resemble emergency lighting or signals.
- c. **Ingress/Egress.** No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other point of access into a building required by the Village Building Code or Fire Protection District regulations, or any amendments thereto, nor shall any sign be erected so as to impair access to the roof of a building.
- d. **Americans with Disabilities Act (ADA).** No sign shall be erected so as to obstruct accessibility requirements per the Illinois Accessibility Code, Village Building Code, and any amendments thereto.
- e. **Construction and Attachment.** All signs shall be designed and constructed as required in the Village Building Code and other applicable Village ordinances, as amended from time to time. Signs shall be securely attached to a wall, structure, or the ground at all times.
- f. **Line-of-Sight.** Signs shall not cause visibility obstructions.

## 5. Location.

- a. **Public Property.** Signs shall not be erected on public property, including the public right-of-way, except for Governmental Signs per Section 6-307.D.1.a.1.
- b. **Private Property.** Signs may be located within private property lines on the premises identified by the signs. For multi-tenant and/or multi-story buildings, wall signs shall be located within the tenant's lease lines.
- c. **Parkways.** Signs shall not be erected within parkways, except for Governmental Signs per Section 6-307.D.1.a.1.
- d. **Drainage.** Signs shall not be constructed in a manner that negatively impacts drainage.
- e. **Utility Poles.** Signs shall not be located on public or private utility poles.
- f. **Sidewalks and Paths.** Signs shall not be erected so as to obstruct sidewalks or paths.
- g. **Parking Spaces.** Signs shall not be erected so as to obstruct parking spaces.
- h. **Loading Areas.** Signs shall not be erected so as to obstruct loading areas.
- i. **Trees and Landscaping.** Signs shall not be attached to trees or other landscaping.
- j. **Required Setback.** All ground signs shall be set back a minimum of five feet (5') from property lines, drive aisles, parking spaces, loading areas, sidewalks, and paths.

## 6. Materials.

- a. **Permanent Signs.** Permanent signs shall be constructed of materials that can withstand the elements in an outdoor environment. Acceptable materials for permanent signs include, but are not limited to: acrylic, polycarbonate, marine grade plywood (MDO), aluminum, or aluminum composite materials (ACM). The base of a sign may also include, but is not limited to: brick, stone, or concrete. Similar permanent sign materials may be approved by the Development Services Department.
- b. **Temporary Signs.** Temporary signs may be constructed of materials including, but not limited to: paper (interior window signs only), cloth, canvas, vinyl, wallboard, wood, or metal. Similar temporary sign materials may be approved by the Development Services Department.

## 7. Illumination.

Internally or externally illuminated signs shall be permitted unless otherwise noted, provided that the sign meets the following requirements:

- a. Signs shall be illuminated only by steady, stationary, shielded, or shaded light sources directed solely at the sign or the sign may be internally lit.
- b. Changes in illumination shall only occur a maximum of one (1) time within a twenty-four (24) hour period.
- c. Exposed reflective-type bulbs, strobe lights, or incandescent lamps shall not be used on the exterior surface of any sign.
- d. Illuminated signs shall produce no more than thirty (30) foot candles of illumination when measured four feet (4') from the sign.
- e. Whenever external illumination is used for a sign, the source of light shall be located, shielded, and directed in such a manner that the light source is not visible from a public right-of-way or private residence.
- f. Illumination shall comply with the exterior lighting standards within Section 6-315 of the Land Development Code.

8. **Maintenance.**

The owner of a sign shall be required to maintain the sign, the sign structure, and its surrounding landscaping, if applicable, in a neat and attractive condition and in compliance with the following standards:

- a. **General.** The sign and sign supports must be kept painted to prevent rust, rot, or deterioration. If a sign becomes rusted, rotted, or deteriorated the sign must be immediately repaired or replaced. Painting, repainting, cleaning, or other normal maintenance and repair of a sign (not exceeding 50% of the value of the sign) for which a permit has been previously issued is allowed without a permit, provided that the sign is not otherwise modified in any way.
- b. **Damage.** If a sign is damaged it shall be repaired within two (2) weeks of the reported date of the damage.
- c. **Landscaping.** Landscaping at the base of ground signs shall be regularly maintained.
- d. **Animals.** Signs shall be free of nesting animals.
- e. **Restoration After Wall Sign Removal.** When a wall sign is removed from the façade of a building and replaced with a new sign, the façade shall be restored to like new condition. Previous sign mounting holes and the like shall be filled and painted to match the façade and ghosting images shall be removed. The façade shall be cleaned and/or repainted if necessary in order to match the existing condition of the building.

9. **No Discrimination Against Non-Commercial Signs or Speech.**

The owner of any legal sign may substitute non-commercial copy within the allowable sign face area of the sign in lieu of any other commercial or non-commercial copy in accordance with the following:

- a. The substitution of copy must adhere to all applicable Village codes and may be executed without any additional approval or permitting from the Village.
- b. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message.
- c. This provision does not create a right to increase the total amount of signage on a parcel or allow the substitution of an off-site commercial message in place of an on-site commercial message.

**D. Procedures.**

1. **Permit Requirement.**

A permit shall be obtained through the Development Services Department prior to the installation or display of any sign.

a. **Exemptions.**

The following signs meeting the criteria within Section 6-307.D.1.a. are exempt from the requirement to obtain a sign permit. Such signs shall meet the Appearance Standards within Section 6-307.F.1.b. unless determined inapplicable by the Development Services Department.

1. **Governmental Signs.** Governmental signs incidental thereto for identification, information, directional, or public safety purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance, such as traffic control signs and legal notices, including those located in the public right-of-way.
2. **Address Sign.** An address sign is required for each property/tenant space and shall be installed in compliance with the Building Code and Fire Code and any amendments thereto.
3. **Sign on Residential Property.** One (1) non-illuminated sign is allowed per residential property, provided that:
  - a. The sign meets all General Standards within Section 6-307.C. of the Land Development Code;
  - b. The sign is no larger than four (4) square feet in area (total of all sign faces visible from the public right-of-way);
  - c. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
  - d. The sign(s) shall not exceed three feet (3') in overall height when measured from grade; and
  - e. The sign is not above the roof line when located on a building.

4. **Political Campaign Signs.** In accordance with 65 ILCS 5/11-13-1-12, as amended from time to time, political signs meeting the following requirements are allowed:
- The sign(s) shall meet all General Standards within Section 6-307.C. of the Land Development Code;
  - The sign(s) shall be located on private properties with permission from the property owner;
  - The sign(s) may be Yard (Pin) Signs or a type of allowable sign,
  - The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
  - The sign(s) shall not exceed five feet (5') in overall height when measured from grade;
  - The sign shall not be installed above the roof line when located on a building; and
  - The total sign face area (for all signs combined) allowed per property shall be in accordance with the following table:

<b><u>Land Area/Location</u></b>	<b><u>Maximum Allowable Total Sign Face Area</u> <i>(all signs combined)</i></b>
Less than one (1) acre and not located on a major/minor arterial road or major collector road	Six (6) square feet
Less than one (1) acre and located on a major/minor arterial road or major collector road	Forty (40) square feet
One (1) to ten (10) acres	Forty (40) square feet
Greater than ten (10) acres	Sixty-four (64) square feet

5. **Real Estate Signs.** Sign(s) meeting the following requirements shall be permitted on real property which is actively being offered for sale or lease:
- The sign shall meet all General Standards within Section 6-307.C. of the Land Development Code;
  - The sign shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
  - One (1) sign is allowed per frontage along a public right-of-way;
  - Sign(s) shall be removed no later than seven (7) days after the close of the transaction of the sale or rental;
  - The sign shall not be installed above the roof line when located on a building;
  - The maximum sign height shall not exceed six feet (6') when located on the ground in a residential zoning district or ten feet (10') in a non-residential or mixed-use zoning district; and

- g. The maximum sign face area (for each sign) shall be in accordance with the following table:

<u>Land Area/Location</u>	<u>Maximum Allowable Sign Face Area</u> <i>(per sign)</i>
Less than one (1) acre and not located on a major/minor arterial road or major collector road	Six (6) square feet
Less than one (1) acre and located on a major/minor arterial road or major collector road	Forty (40) square feet
Greater than one (1) acre	Forty (40) square feet

6. **Replaceable Copy.** Changing of the sign copy or message on a manual changeable sign.
7. **Window Signage.** Changes in the copy of window signage, provided that it does not cover more than fifty percent (50%) of any single window. Window signs shall be located on the interior side of the window and shall not be located on spandrel glass.



8. **Historical Marker/Integral Signs.** Such signs shall have a maximum sign face area of six (6) square feet and meet all General Standards within this Section.
9. **Flags.** Flags on flagpoles are allowed, provided that the flag and flagpole are in compliance with Section 6-302.C.12. of the Land Development Code.
10. **Light Pole Banners.** Banners on light poles are allowed within Sign District #3 in accordance with the following provisions:
- There shall be no more than two (2) banners per pole; and
  - The size of each banner shall not exceed ten (10) square feet.
11. **Business Status Sign.** One (1) sign may be displayed near the entrance to the business on the inside of a window or door, provided that the sign is no



greater than four (4) square feet in area. Such sign may be internally-illuminated with a steady, motionless light source.

**12. Outdoor Bulletin Boards.** One (1) bulletin board shall be allowed per tenant, provided that the sign is no greater than four (4) square feet in area and is attached to the exterior wall within six feet (6') of the entrance to the building.

**13. Sandwich Boards/A-Frames.** Sandwich boards/A-frames are allowed in accordance with the following provisions:

- a. The sign meets all General Standards within Section 6-307.C. of the Land Development Code, except sandwich boards may be located on private sidewalks provided that a minimum of thirty-six inches (36") is clear for pedestrians;
- b. One (1) sandwich board/A-frame is allowed per tenant;
- c. The sign shall be constructed of wood or aluminum and not plastic;
- d. The sign face area shall not exceed a maximum of seven (7) square feet per side;
- e. The height shall not exceed a maximum of fifty-four inches (54") tall;
- f. The sign shall be located within fifteen feet (15') of the tenant's entrance to the building;
- g. The sign shall be securely anchored to withstand weather conditions; and
- h. The sign shall not be displayed outdoors while the business is closed.

**14. Branding Without Copy.** Brand elements without sign copy do not require a sign permit but instead shall be reviewed administratively by the Development Services Department through an Appearance Review and/or approval of Elevations.

**15. Window Displays.** Shall be allowed provided that prohibited signage is not within the window display. Window displays shall not cover more than fifty percent (50%) of any single window

**2. Permit Application.**

An application for a sign permit must be submitted to the Development Services Department on forms furnished by the Department. The Applicant must provide information to determine if the proposed sign is allowed under this Code and other applicable laws, regulations, and ordinances. Village Staff will review the application to determine if the proposed sign is permissible. The Applicant shall pay a sign permit fee in accordance with Title 5, Chapter 2 of the Village Code, as amended from time to time, when the permit is issued to the Applicant.

**3. Installation.**

Signs shall not be installed unless a valid sign permit has been issued for a sign or a sign meets the criteria for exemption from the permit requirement. A sign with a valid sign permit must be installed within six (6) months of permit issuance or else the permit becomes invalid. Signs shall be installed per the approved drawings and any supplementary information provided in the sign permit application.

**4. Removal.**

The Village reserves the right to require removal of signs, at the owner's expense, in the following circumstances:

- a. When a sign is erected without a valid permit;
- b. When a permit is invalidated or revoked;
- c. When a permit for a temporary sign has expired;
- d. When a sign becomes obsolete and no longer identifies a bona fide business conducted or a product sold on the premises where said sign is located. Such sign shall be removed immediately by the owner, agent, or person having the beneficial use of the building, structure, or property upon which said sign may be found.
  1. If the sign to be removed is located on a multi-panel ground sign, the obsolete panel must be completely replaced with a blank panel consistent in color with other existing panels.
  2. If the sign to be removed is within a fixed cabinet on a façade, the obsolete panel must be completely replaced with a blank panel consistent in color with other existing panels or the entire cabinet must be removed and the façade must be restored.
- e. When any sign is deemed unsafe, insecure, or a danger to the public, or has been constructed, erected, or maintained in violation of the provisions of this Section, the Development Services Department shall give written notice to the permittee thereof requesting removal of the sign. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within five (5) days after such notice, the Development Services Department may declare such sign to be a public nuisance and remove such sign at the owner's expense. The Village may immediately remove illegal signs located within the public right-of-way.

**5. Noncompliance.**

When a sign is not in compliance with an approved permit or the provisions of this Section the Village shall issue citation(s) to the owner of such sign and/or the owner of the premises on which the sign is located.

**E. Sign Types.** The following sign types are expressly allowed or prohibited within the Village. Sign types are defined within Section 6-307.K. of the Land Development Code. In the event that a proposed sign is not classified as allowable or prohibited the Development Services Department shall determine if the sign will be allowed.

**1. Allowable Signs.**

### Wall Signs

- ① Window Sign
- ② Awning Sign
- ③ Wall Sign
- ④ Canopy Sign
- ⑤ Channel Letter Sign
- ⑥ Banner Sign
- ⑦ Projecting Sign

### Ground Signs

- ⑪ Sandwich Board Sign
- ⑫ Dual Post Sign
- ⑬ Monument Sign

### Other Signs

- ⑧ Under Canopy Sign
- ⑨ Window Display
- ⑩ Address Sign



*Graphic: Example of Allowable Signs  
(Note: Not all sign types are pictured.)*

#### a. Types of Wall Signs

- 1. Wall Sign (Permanent)
- 2. Channel Letters (Permanent)
- 3. Cloud Sign (Permanent)
- 4. Push-Thru Letters (Permanent)
- 5. Awning Sign (Permanent)
- 6. Canopy Sign (Permanent)
- 7. Projecting Sign (Permanent)
- 8. Window Sign (Permanent or Temporary)
- 9. Banner Sign (Temporary)

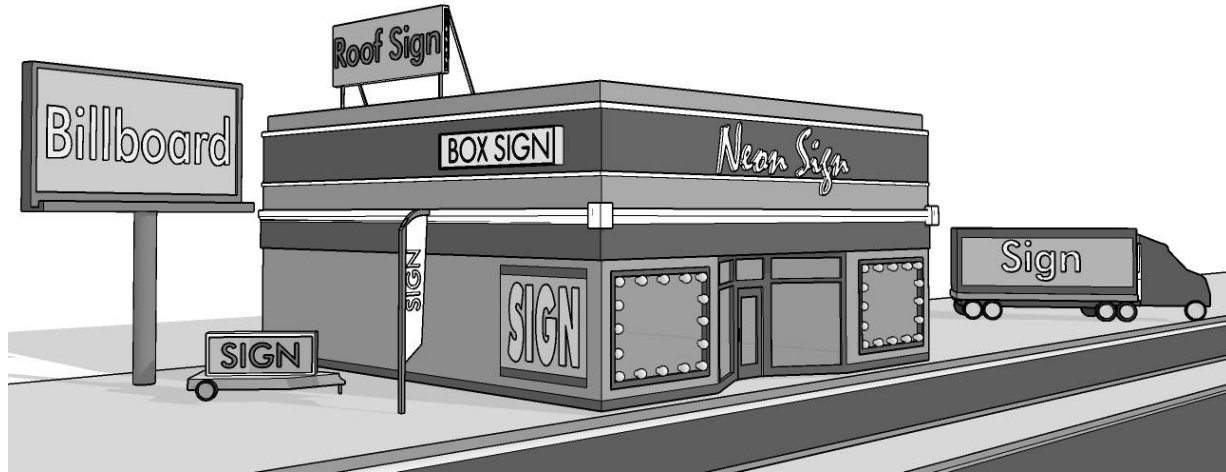
#### b. Types of Ground Signs

- 1. Monument Sign (Permanent)
- 2. Directional Sign (Permanent)
- 3. Dual Post Sign (Permanent or Temporary)
- 4. Banner Sign (Temporary)
- 5. Sandwich Board Sign (Temporary)

#### c. Other Types of Signs

- 1. Under Canopy Sign (Permanent)
- 2. Address Sign (Permanent)
- 3. Manual Changeable Sign (Permanent)
- 4. Window Display (Permanent or Temporary)
- 5. Inflatables (Temporary)

2. **Prohibited Signs.** Except as specifically provided otherwise within Section 6-307 of the Land Development Code, the following signs and displays shall be strictly prohibited throughout the Village:



*Graphic: Example of Prohibited Signs  
(Note: Not all sign types are pictured.)*

- a. Any sign which constitutes a hazard to public health or safety, including dangerous construction or sight obstructions, as determined by the Development Services Department.
- b. Signs which by color, location, or design resemble or conflict with traffic control signs or signals.
- c. Signs which contain advertising matter which is untruthful, objectionable, or obscene, as determined by the Development Services Department.
- d. Signs which emit an audible sound, odor, or visible matter such as smoke.
- e. Signs which contain radio/microwave transmitters.
- f. Abandoned or obsolete signs, including the posts or other supports therefor, that are no longer being properly maintained by the owner of the sign.
- g. Commercial signs on a vehicle where said vehicle is parked adjacent to or near the right-of-way for the purposes of identifying or calling attention to the business, such as utilizing directional signage, and is not used for daily operations or during the regular course of business, or is not licensed, insured, or operational.
- h. Any signs or attention getting devices visible from the public right-of-way that rotate, revolve, or have any visible moving parts or that gives the appearance of movement, including, but are not limited to: searchlights, electronic screens, spinners, streamers, balloons (other than temporary inflatable signs with a valid permit), and other similar devices, or ornamentation designed for purposes of attracting attention, promotion or advertising, unless otherwise provided for in this Section. However, such signs may be permissible and exempt from permit requirements if the sign or attention getting device is:
  1. Displayed through the interior side of a window;
  2. No closer than five feet (5') to said window;

3. Comprises no more than 50% of the area of the window(s) that it is viewed through; and
4. The building is set back at least thirty feet (30') from a public right-of-way.
- i. Box (Cabinet) Signs, unless subordinate to a primary allowable sign type and meeting the following conditions:
  1. Shall not exceed 25% of the sign face area; and
  2. Shall have an opaque background so only lettering is illuminated.
- j. Off-Premise Signs.
- k. Roof Signs.
- l. Electronic Changeable Signs, or signs that feature blinking, flashing, or holograms.
- m. Yard (Pin) Signs, except Political Signs may be Yard (Pin) Signs.
- n. Feather/Flag Signs.
- o. Pennants.
- p. Signs which are painted directly onto any exterior wall of any building or structure.
- q. Signs which are incorporated directly into a ground surface, including tiles and pavers.
- r. Signs or displays which contain bare, unshielded light or tubes (including neon) which are visible from a public right-of-way or a private residence unless otherwise provided for in this Section.
- s. Displays of lights along property lines, sales areas, doors, windows, edges of a building, or similar.

## **F. Permanent Signs.**

### **1. Appearance Standards.**

- a. **Review.** Signs shall be reviewed administratively for appearance by the Development Services Department.
- b. **Standards.**
  1. Every sign shall be designed as an integral architectural element of the building, structure, or site to which it principally relates.
  2. The colors, materials, and lighting of the sign shall be harmonious with the building, structure, and/or site to which it principally relates.
  3. Every sign shall have appropriate scale and proportion in its design.
  4. No more than two (2) colors shall be used on a single letter or character. Logos shall be exempt from this regulation.
  5. Decorative light fixtures complimentary to the architecture of the building shall be used for external illumination.
  6. Projecting signs shall include durable mounting hardware that is attractive and is an integral part of the sign design. Guy wires and extension poles are prohibited.

7. Sign panels with internal illumination shall have opaque backgrounds so that only the sign copy is illuminated.
8. Wall Signs:
  - a. Shall be centered within the tenant's frontage unless otherwise deemed aesthetically appropriate by the Development Services Department. Effort shall be made to not conflict with the architectural elements of the building façade.
  - b. Wall signs upon multi-tenant structures shall be mounted in accordance with an established center line.
  - c. Background color is included within the measurement of sign face area for wall signs unless deemed appropriate as an architectural feature by the Development Services Department.
  - d. All raceways shall be of a color that matches the façade behind the sign.
9. Ground Signs:
  - a. For monument signs, the sign base shall be at least seventy-five percent (75%) of the width of the sign face.
  - b. For dual post signs, each post shall be at least fifteen percent (15%) of the total width of the sign.
  - c. The ground sign's materials shall match the materials on the principal structure.
  - d. Multi-tenant ground sign panels shall be of the same background color and font color. Font face may differ from tenant to tenant. Logos are exempt from the font color requirement.



2. **Permanent Sign Regulations by District.** Signs shall be permitted in accordance with the regulations by Sign District within the subsequent tables. The following terms are used in the tables in order to further explain or abbreviate the sign regulations.

<i>ROW</i>	Right-of-Way
<i>SF</i>	Square Foot/Square Feet
<i>SFA</i>	Sign Face Area
<i>GFA</i>	Gross Floor Area

RES Residential  
 NON- Non-Residential  
 R  
 ES

- a. **Sign District #1: Residential.** The following signs shall be allowed in Residential Zoning Districts (E-1, R-1, R-2, R-2A, R-3, R-3A, R-4, and RSB) with a valid permanent sign permit from the Development Services Department.

### Sign District #1 – Residential Zoning Districts

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	2 SF	1 per tenant frontage; maximum of 2	-	-
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> <li>• Shall not cover any part of a window;</li> <li>• Shall not extend more than 18" from the façade</li> </ul>
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Awnings shall be located above windows or doors;</li> <li>• Signage not permitted on valance</li> </ul>
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> <li>• Canopy and attached signage must have a minimum 8' clearance</li> </ul>
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Shall be located near the tenant entrance;</li> <li>• Shall be located below second story windows;</li> <li>• Maximum projection: 5'</li> </ul>
GROUND	Monument Sign/ Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> <li>• May be located within a public landscape median with Village approval;</li> <li>• If illuminated, the sign shall only be externally illuminated</li> </ul>
		NON-RES	40 SF	1 per ROW frontage	Monument: 10'; Dual Post: 6'	<ul style="list-style-type: none"> <li>• Signs shall be spaced at least 75' apart;</li> <li>• Tenant panels shall cover no more than 80% of the allowable SFA</li> </ul>
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Shall be located near the tenant</li> </ul>

						entrance
<b>Manual Changeable Sign</b>	RES	<i>Prohibited</i>				
	NON- RES	25% of the ground sign SFA	1	-	• Shall be installed within a ground sign	



- b. **Sign District #2: Commercial.** The following signs shall be allowed in Commercial/Office Zoning Districts (BIZ, COR, VCD, LSPD, RMC, and ORI) with a valid permanent sign permit from the Development Services Department. This Sign District excludes those properties within Sign District #3.

**Sign District #2 – Commercial Zoning Districts**

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per linear foot of tenant frontage	1 per ROW frontage	-	<ul style="list-style-type: none"> <li>Only allowed on multi-family buildings with more than 10 dwelling units;</li> <li>Shall not extend more than 18” from the façade</li> </ul>
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> <li>Shall not cover any part of a window;</li> <li>The combined SFA of all signs shall not exceed the allowable SFA per frontage;</li> <li>Shall not extend more than 18” from the façade</li> </ul>
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> <li>Minimum 8’ clearance;</li> <li>Awnings shall be located above windows or doors;</li> <li>Signage not permitted on valance</li> </ul>
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24”	<ul style="list-style-type: none"> <li>Canopy and attached signage must have a minimum 8’ clearance</li> </ul>
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> <li>Minimum 8’ clearance;</li> <li>Shall be located near the tenant entrance;</li> <li>Shall be located below second story windows;</li> <li>Maximum projection: 5’</li> </ul>
GROUND	Monument Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6’	<ul style="list-style-type: none"> <li>May be located within a public landscape median with Village approval;</li> <li>If illuminated, the sign shall only be externally illuminated</li> </ul>
		NON-RES	GFA < 350,000 SF: 40 SF; GFA 350,000-500,000 SF: 100 SF; GFA > 500,000 SF:	1 per ROW frontage; Lot frontage > 300’: 1 additional sign allowed along that frontage	GFA < 500,000 SF: 10’; GFA > 500,000 SF: 18’	<ul style="list-style-type: none"> <li>Signs shall be spaced at least 75’ apart;</li> <li>Tenant panels shall cover no more than 75% of the allowable SFA</li> </ul>

			125 SF			
	Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> <li>• May be located within a public landscape median with Village approval;</li> <li>• If illuminated, the sign shall only be externally illuminated</li> </ul>
		NON-RES	40 SF	1 per ROW frontage	6'	<ul style="list-style-type: none"> <li>• Signs shall be spaced at least 75' apart;</li> <li>• Tenant panels shall cover no more than 75% of the allowable SFA</li> </ul>

OTHER	Under Canopy Sign	RES	<i>Prohibited</i>			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Shall be located near the tenant entrance</li> </ul>
	Manual Changeable Sign	RES	<i>Prohibited</i>			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> <li>• Shall be installed within a ground sign</li> </ul>

- c. **Sign District #3: Eastern 159<sup>th</sup> Street Corridor.** The following signs shall be allowed on properties directly adjacent to 159<sup>th</sup> Street between 71<sup>st</sup> Court and 94<sup>th</sup> Avenue with a valid permanent sign permit from the Development Services Department.

### Sign District #3 – Eastern 159<sup>th</sup> Street Corridor

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per dwelling unit; maximum of 40 SF	1 per ROW frontage	-	<ul style="list-style-type: none"> <li>• Only allowed on multi-family buildings with more than 10 dwelling units;</li> <li>• Shall not extend more than 18" from the façade</li> </ul>
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> <li>• Shall not cover any part of a window;</li> <li>• The combined SFA of all wall signs shall not exceed the allowable SFA per frontage;</li> <li>• Shall not extend more than 18" from the façade</li> </ul>
	Awning Sign	RES	<i>Prohibited</i>			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Awnings shall be located above windows or doors;</li> <li>• Signage not permitted on valance</li> </ul>

	<b>Canopy Sign</b>	RES	<i>Prohibited</i>			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> <li>• Canopy and attached signage must have a minimum 8' clearance</li> </ul>
	<b>Projecting Sign</b>	RES	<i>Prohibited</i>			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Shall be located near the tenant entrance;</li> <li>• Shall be located below second story windows;</li> <li>• Maximum projection: 5'</li> </ul>
<b>GROUND</b>	<b>Monument Sign</b>	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> <li>• May be located within a public landscape median with Village approval;</li> <li>• If illuminated, the sign shall only be externally illuminated</li> </ul>
		NON-RES	GFA < 350,000 SF: 64 SF; GFA > 350,000 SF: 100 SF	1 per ROW frontage; Lot frontage > 300': 1 additional sign allowed along that frontage	18'	<ul style="list-style-type: none"> <li>• Signs shall be spaced at least 75' apart;</li> <li>• Tenant panels shall cover no more than 80% of the allowable SFA</li> </ul>
	<b>Dual Post Sign</b>	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> <li>• May be located within a public landscape median with Village approval;</li> <li>• If illuminated, the sign shall only be externally illuminated</li> </ul>
		NON-RES	40 SF	1 per ROW frontage	6'	<ul style="list-style-type: none"> <li>• Signs shall be spaced at least 75' apart;</li> <li>• Tenant panels shall cover no more than 80% of the allowable SFA</li> </ul>
<b>OTHER</b>	<b>Under Canopy Sign</b>	RES	<i>Prohibited</i>			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> <li>• Minimum 8' clearance;</li> <li>• Shall be located near the tenant entrance</li> </ul>
	<b>Manual Changeable Sign</b>	RES	<i>Prohibited</i>			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> <li>• Shall be installed within a ground sign</li> </ul>

- d. **Sign District #4: Industrial.** The following signs shall be allowed in the Industrial Zoning District (MFG) with a valid permanent sign permit from the Development Services Department.

### Sign District #4 – Industrial Zoning District

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	<i>Prohibited</i>			
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> <li>• Shall not cover any part of a window;</li> <li>• Shall not extend more than 18” from the façade</li> </ul>
	Awning Sign	RES	<i>Prohibited</i>			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> <li>• Minimum 8’ clearance;</li> <li>• Awnings shall be located above windows or doors;</li> <li>• Signage not permitted on valance</li> </ul>
	Canopy Sign	RES	<i>Prohibited</i>			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24”	<ul style="list-style-type: none"> <li>• Canopy and attached signage must have a minimum 8’ clearance</li> </ul>
	Projecting Sign	RES	<i>Prohibited</i>			
		NON-RES	<i>Prohibited</i>			
GROUND	Monument Sign/ Dual Post Sign	RES	<i>Prohibited</i>			
		NON-RES	40 SF	1 per ROW frontage	10’	<ul style="list-style-type: none"> <li>• Signs shall be spaced at least 75’ apart;</li> <li>• Tenant panels shall cover no more than 80% of the allowable SFA</li> </ul>
OTHER	Under Canopy Sign	RES	<i>Prohibited</i>			
		NON-RES	<i>Prohibited</i>			
	Manual Changeable Sign	RES	<i>Prohibited</i>			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> <li>• Shall be installed within a ground sign</li> </ul>

**3. Permanent Sign Bonuses.** Non-residential land uses within Sign District #2, #3, and #4 shall be eligible for the following sign bonuses in addition to the allowable signage within Section 6-307.F.2. of the Land Development Code:

- a. **Bonuses for Sign Face Area for Wall/Channel Letter/Cloud Sign/Push-Thru Letters.** The following bonuses shall apply to the calculation for SFA for the aforementioned sign types. Bonuses for Tenant Gross Floor Area may apply to any valid tenant frontage. Bonuses for Building Setback from Public Right-of-Way shall only apply to signs installed on the tenant frontage(s) eligible for the bonus. *Note: The maximum formula for SFA is 2 SF per linear foot of tenant frontage where the sign will be installed.*

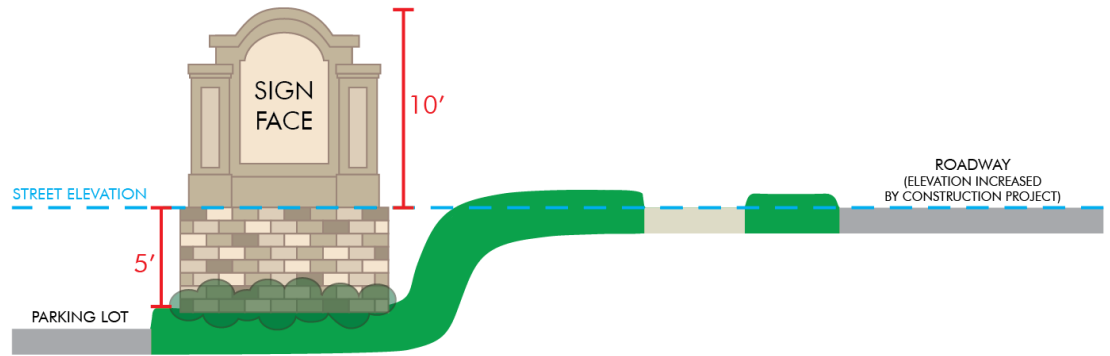
Tenant Gross Floor Area	Sign Face Area Bonus
25,000 – 50,000 SF	+ 0.25 SF per linear foot of tenant frontage
> 50,000 SF	+ 0.50 SF per linear foot of tenant frontage

Building Setback from Public Right-of-Way	Sign Face Area Bonus
150' – 300'	+ 0.25 SF per linear foot of tenant frontage
> 300'	+ 0.50 SF per linear foot of tenant frontage

- b. **Bonuses for Quantity of Wall/Channel Letter/Cloud/Push-Thru Letter Signs.** The following bonuses shall apply to the allowable quantity of the aforementioned sign types. The total SFA of all wall signs shall not exceed the allowable SFA.

Tenant Gross Floor Area	Sign Quantity Bonus
15,000 – 50,000 SF	+ 2 Signs
> 50,000 SF	+ 4 Signs

- c. **Monument Sign Bonuses for Sign Height.** Additional sign height shall be allowed for monument signs directly adjacent to a right-of-way where a road construction project increased the elevation of the roadway. The base of the monument sign may be increased to allow for the sign to be a maximum of ten feet (10') above the street elevation of the nearest point of the adjacent roadway pavement. The sign face shall not extend below the street elevation.



**G. Temporary Signs.** The following Temporary Signs shall be allowed with a valid temporary sign permit from the Development Services Department.

### Temporary Signs

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Allowable Duration of Display by Circumstance	Additional Regulations
WALL	Banner	RES	25 SF	1 per ROW frontage	-	<ul style="list-style-type: none"> <li>Coming Soon: 14 days</li> <li>Grand Opening: 14 days</li> <li>Store Closing: 30 days</li> <li>Temporary/Seasonal Use: 90 days or the duration of the use; whichever is less</li> <li>Prior to Installing a Permanent Sign: 14 days before permanent sign installation</li> <li>Special Event: Duration of Special Event</li> </ul>	<ul style="list-style-type: none"> <li>Minimum 8' clearance;</li> <li>Shall not cover any part of a window</li> </ul>
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-		<ul style="list-style-type: none"> <li>Minimum 8' clearance;</li> <li>Shall be centered within the tenant's frontage unless otherwise approved by the Development Services Department;</li> <li>Shall be installed in accordance with an established center line</li> </ul>
GROUND	Banner/ Temporary Dual Post Sign	RES	25 SF	1 per ROW frontage	5'	<ul style="list-style-type: none"> <li>Coming Soon: 14 days</li> <li>Grand Opening: 14 days</li> <li>Store Closing: 30 days</li> <li>Prior to Installing a Permanent Sign: 14 days before permanent sign installation</li> <li>Special Event: Duration of Special Event</li> </ul>	-
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	8'		-
	Inflatable	RES	-	1	-	<ul style="list-style-type: none"> <li>Grand Opening: 14 days</li> </ul>	-
		NON-RES	-	1	-		-

1. **Types of Circumstances.**

- a. **Coming Soon.** For the purposes of this Section, “coming soon” shall mean the time before a new business opens for the first time at a physical location within the Village and work is being performed within the tenant space to prepare for occupancy.
- b. **Grand Opening.** For the purposes of this Section, “grand opening” shall mean when a new business opens for the first time at a physical location within the Village and receives a Certificate of Occupancy. Expansions of tenant spaces are eligible for temporary grand opening signage.
- c. **Store Closing.** For the purposes of this Section, “store closing” shall mean when an existing business intends to cease operations at a physical location within the Village.
- d. **Temporary or Seasonal Use.** For the purposes of this Section, “temporary or seasonal use” shall mean a new business at a physical location within the Village that plans to operate for a specific period of time which is typically less than ninety (90) days. Examples include, but are not limited to, temporary offices, carnivals, and holiday-related retail sales. Such use must be properly permitted/licensed by the Village.
- e. **Prior to Installing a Permanent Sign.** For the purposes of this Section, “prior to installing a permanent sign” shall mean when a business at a physical location within the Village is in the process of installing new permanent signage. A sign permit application for the new permanent signage must be submitted in order to be eligible for temporary signage.
- f. **Special Event.** For the purposes of this Section, “special event” shall mean an event held at a physical location within the Village with a valid permit from the Village. Special events include, but are not limited to, charitable events and tent sales.

2. **Extensions for Display Period.** The Development Services Department may extend the allowable duration of display in special circumstances. A letter requesting additional display time must be submitted for consideration.

**H. Special Areas of Control.** The following signs shall be allowed with a valid permanent sign permit from the Development Services Department.

1. **Construction Site Signs.** Sign(s) meeting the following requirements shall be permitted for sites with an active building permit on file with the Development Services Department:
- a. The sign(s) shall meet all General Standards within Section 6-307.C. of the Land Development Code;
  - b. The sign(s) may be made of temporary or permanent materials;
  - c. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives unless installed on construction fencing;
  - d. One (1) sign is allowed per frontage along a public right-of-way;

- e. Sign(s) shall be displayed no earlier than thirty (30) days before construction begins and removed no later than seven (7) days after issuance of a Certificate of Occupancy and/or completion of construction;
- f. The sign(s) shall not be installed above the roof line when located on a building, be greater than six feet (6') in height when located on the ground, and/or exceed the height of the construction fence if installed upon said fence; and
- g. The maximum sign face area shall be in accordance with the following table:

<b>Land Area/Location</b>	<b>Maximum Allowable Total Sign Face Area (all signs combined)</b>
Less than ten (10) acres	Twelve (12) square feet per acre; maximum of forty (40) square feet
Greater than ten (10) acres	Sixty-four (64) square feet

- 2. **Model Home Signs.** Sign(s) meeting the following requirements shall be permitted on real property which is registered as a model home site with the Development Services Department:
  - a. The sign shall meet all General Standards within Section 6-307.C. of the Land Development Code;
  - b. The sign shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
  - c. The sign shall be located on the ground;
  - d. One (1) sign is allowed per frontage along a public right-of-way;
  - e. The maximum sign height shall not exceed six feet (6') when located on the ground; and
  - f. The maximum sign face area for each sign shall be no larger than forty (40) square feet.
- 3. **Gas Station Signs.** On premises where gasoline is dispensed:
  - a. Each service station island shall be permitted one (1) sign meeting the following requirements:
    - 1. The maximum sign face area shall neither exceed six (6) square feet for each exposed face nor exceed an aggregate gross surface area of twelve (12) square feet.
    - 2. Such signs shall be located adjacent to or within the service station island to which it relates.
  - b. Each gas station canopy shall be permitted one (1) canopy sign per right-of-way frontage. The gross surface area of such sign shall not exceed twenty (20) percent of the gross surface area of the canopy to which the sign is to be affixed. Said canopy signage shall not extend above or below the canopy.
- 4. **Directional Signs.**
  - a. Directional Signs, if deemed necessary by the Development Services Department in the interest of public safety, shall be permitted in accordance with the following requirements.



Gross Floor Area	Maximum Sign Face Area Per Sign	Maximum Sign Height
< 350,000 SF	10 SF	4'
350,000 – 500,000 SF	24 SF	7'
> 500,000 SF	70 SF	9'

- b. Permanent off-site directional signs may be permitted for medical facilities and senior housing facilities if located in a non-residential area and within 1,000 feet of the facility.
- c. Temporary off-site directional signs may be permitted for special events as determined by the Development Services Department.
- d. The allowable quantity of directional signs shall be determined by the Development Services Department.

#### **I. Nonconforming Signs.**

Signs existing at the time of the enactment of this Section, or any amendment thereto, or at the time of annexation of the property on which they are located and not conforming to the provisions of this Section, shall be regarded as nonconforming signs. Nonconforming signs shall be of two types: legal nonconforming or illegal nonconforming.

1. **Legal Nonconforming Signs.** Nonconforming signs that were lawfully permitted by the Village shall be considered legal nonconforming signs. The following activities are allowed for legal nonconforming signs and may require a permit from the Development Services Department:
  - a. **Ordinary Repair and Maintenance.** Normal maintenance and incidental repair are allowed for legal nonconforming signs, provided that any repair or maintenance shall, whenever possible, eliminate or reduce any nonconformity. The allowable scope of repair and maintenance for legal nonconforming signs includes:
    1. The replacement of non-load-bearing sign elements and electrical wiring and fixtures; and
    2. The replacing, repairing, or repainting of any portion of a sign or its structural elements, provided that the sign is not structurally altered to prolong its useful life.
  - b. **Change in Display of Sign Content.** The periodic changing of tenant's sign panels or the renewing of copy that has been made unusable by ordinary wear and tear, weather, or accident is allowed on legal nonconforming signs. All new panels within nonconforming signs shall be designed to meet current Appearance Standards per Section 6-307.F.1.

c. **Alteration, Enlargement, and Relocation.** Legal nonconforming signs shall not be:

1. Changed or altered in any manner that would increase the degree of its nonconformity;
2. Enlarged or expanded; and/or
3. Moved in whole or in part to any other location where the sign would remain nonconforming.

2. **Illegal Nonconforming Signs.** Nonconforming signs that do not have a valid permit on file with the Village shall be considered illegal nonconforming signs.

a. **Removal.** Illegal nonconforming signs shall be immediately removed at the expense of the owner.

b. **Alteration.** The owner of an illegal nonconforming sign may obtain a permit to alter the illegal nonconforming sign to conform with all applicable Village codes.

**J. Severability.**

If any portion of this document is to any extent invalid, illegal, or incapable of being enforced, such term shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other terms hereof shall remain in full force and effect.

**K. Definitions.** In the event of a conflict within this Section and within Section 2-102 (Definitions) of the Land Development Code the definitions herein shall apply.

1. **Average Natural Grade:** When measuring sign height, the average natural grade shall mean the average grade measured ten feet (10') in every direction from the sign location.
2. **Frontage, Tenant:** The horizontal distance between a tenant's lease lines along a façade facing a public right-of-way, private access drive, and/or parking lot. Tenant Frontage shall not include frontage along outdoor sales areas and accessory structures.
3. **Sign:** 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, but not limited to: words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, which are visible beyond the boundaries of the lot, parcel, or tenant space on which they are situated or visible from any public thoroughfare or right-of-way. This includes, but is not limited to, wall signs, ground signs, window signs, awning or canopy signs, marquees, manual changeable 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 architecture, design, and structure (i.e. an "architectural feature") as determined by the Development Services Department.

4. **Sign, Address:** A sign displayed for the purpose of identifying the address of the property.
5. **Sign, Awning:** Signage that exists on an awning.
6. **Sign, Banner:** A temporary sign with or without characters or illustrations applied to cloth, flexible plastic, or fabric of any kind, with no rigid material as a backing. A Banner Sign is typically installed on the wall of the tenant space, mounted in the ground, or securely attached to an existing ground sign.
7. **Sign, Billboard:** See Off-Premise (Outdoor Advertising) Sign.
8. **Sign, Box (Cabinet):** A sign which contains all of the advertising copy within an enclosed cabinet (typically a standard geometric shape such as a rectangle) and is mounted to a wall. Box Signs have a translucent or opaque back-lit panel with sign copy enclosed within a frame or cabinet. An internally-illuminated logo separate from other sign copy shall not constitute a Box Sign.
9. **Sign, Canopy:** A sign constructed or affixed to a permanent portion of a building that serves as a canopy over the space below. A canopy is an integral part of the building that uses similar materials, whereas an awning is more temporary in nature and build.
10. **Sign, Channel Letter:** A sign comprising individual letters that are independently mounted to a wall or other surface and have a covered face with internal illumination. Channel letters may be non-illuminated.
11. **Sign, Cloud:** A sign with a single cabinet that is not a typical geometric shape but instead follows the curvature of the lettering or artwork on the sign. A Cloud Sign is distinguished from a Box (Cabinet) Sign by the shape of the sign and the outer edges forming a cloud around the lettering or artwork on the sign. Typically the background of this type of sign is non-illuminated but the lettering is illuminated.
12. **Sign, Directional:** A sign used for providing direction and navigation of a site. Such signs typically include arrows and identify locations rather than advertising copy and/or logos. Pavement markings shall not constitute a directional sign.
13. **Sign, Dual Post:** A ground sign that utilizes two posts or columns that are used to mount the sign in the ground.
14. **Sign, Electronic Changeable:** Signage that features changeable text and/or illustrations, using computer software or other technology to automate the delivery schedule of the messages.
15. **Sign Face:** 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.

16. **Sign Face Area:** The entire area of a sign face measured in square feet.
17. **Sign, Feather/Flag:** A temporary ground sign typically taller than it is wide, made of non-rigid material, and attached to a pole.
18. **Sign, Flag:** A sign attached to a pole on one side of the sign.
19. **Sign, Ground:** Any sign supported wholly or in part by some structure other than the building or buildings housing the use to which the sign pertains. Ground signs shall also include monument, dual post, and other freestanding signs.
20. **Sign, Inflatable:** A sign that requires air pressure to maintain its volume.
21. **Sign, Integral:** Names of buildings, dates of erection, monumental citations and commemorative tablets or other information that is carved into stone, concrete, or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
22. **Sign, Manual Changeable:** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign.
23. **Sign, Marquee:** A manual changeable sign with a surrounding cache of light bulbs. Typical marquee signage is found at the entry to theaters.
24. **Sign, Monument:** A two-sided sign attached to a permanent foundation or decorative base and not attached or dependent on support from any building, pole, posts, or similar uprights.
25. **Sign, Off-Premise (Outdoor Advertising):** A sign providing display space for general commercial advertising not related to the premises on site at which the sign is located; commonly referred to as "billboards".
26. **Sign, Outdoor Bulletin Board:** A cabinet attached to the wall of a structure at a pedestrian level for the purpose of displaying periodically-changing messages printed on paper or other similar materials inside the cabinet. Such messages may include announcements, advertisements, or information about a business such as a menu or a brochure of services.
27. **Sign, Pennant:** A series of triangular non-rigid signs that exist on a string or band.

28. **Sign, Permanent:** Any sign or advertising display composed of durable materials intended to exist for the duration of time that the use or occupant is located on the premises.
29. **Sign, Political:** Temporary signs that announce or support political candidates, parties, issues, or causes in connection with any national, state, or local election.
30. **Sign, Portable:** Any sign that is not permanently attached to the ground, a structure, or a building and which is designed to be easily transported or relocated to another location.
31. **Sign, Projecting (Blade):** A sign, other than a wall sign, which projects (usually perpendicularly) from and is supported by a wall of a building or structure.
32. **Sign, Push-Thru Letters:** A sign with individually illuminated acrylic letters and/or a logo that appear to be pushed through the sign's opaque background panel/cabinet.
33. **Sign, Roof:** A sign erected, constructed, supported or maintained in whole or part upon or above the highest point of the roof line, parapet, or fascia of the building. For buildings with a hip, gambrel, or gable roof this would be above the eave line; for mansard roofs, this would be above the deck line for the roof, and for flat roofs it would be above the edge of the wall.
34. **Sign, Sandwich Board (A-Frame):** Portable and relatively lightweight signage constructed to stand independently, not mounted or affixed to its location. This sign is fabricated as an A-frame, which is characterized by having two boards connected together at the top. The boards may have signage on one or both sides.
35. **Sign, Temporary:** A banner, pennant, poster or advertising display constructed of less durable materials and that appears to be intended to be displayed for a reasonable short or definite limited period of time. If the sign display area is permanent but the message displayed is subject to periodic manual changes, that sign shall not be regarded as a Temporary Sign.
36. **Sign, Under Canopy:** A sign that is attached to the underside of a canopy.
37. **Sign, Wall:** Signs mounted on the wall of a building that are parallel to the face it is mounted on. Wall signs may be illuminated or non-illuminated and are typically three-dimensional. Wall signs include but are not limited to sign types such as channel letters, cloud, and push-thru. Signs on canopies, awnings, and windows may also be considered wall signs.
38. **Sign, Window:** Signs or graphics with or without copy that are adhered to a window.
39. **Sign, Yard (Pin):** A temporary sign made of non-durable materials that are typically staked in the ground by metal or plastic supports.

40. **Window Display:** Graphics, digital images, or displays of products without copy located within the interior of the building that are not located on the surface of a window but are visible through a window or other opening. Window displays are used to project a message to potential outside viewers.

## **“SECTION 26**

The Code, as amended, is hereby further amended to delete in its entirety the text of Section 6-314 (ENVIRONMENTAL TECHNOLOGY STANDARDS) and to substitute the following as the new text of Section 6-314:

### **SECTION 6-314. ENVIRONMENTAL TECHNOLOGY STANDARDS.**

A. **Purpose of Environmental Technology Standards.** The purpose of this Section is to establish meaningful standards for the design, installation, operation, and maintenance of sustainable technologies and renewable energy sources throughout the Village. The Environmental Technology Standards strive to promote and accomplish the following:

1. Encourage sustainable energy production from local renewable energy sources.
2. Promote sustainable building design, energy efficiency, conservation, and best management practices in residential, commercial, and industrial buildings.
3. Facilitate energy cost savings and economic opportunities for residents and businesses in the Village.
4. Ensure that all Environmental Clean Technology (ECT) projects within the Village are safe and any potentially adverse effects on the community are minimized.
5. Preserve the aesthetics of the zoning districts in the interest of property values, public health, safety, and the general welfare of the Village by ensuring ECT projects are compatible with the character and appearance of the site, adjacent structures, and surrounding area.

B. **Environmental Clean Technology Review and Approval Process.** The following outlines the review and approval process required for installing an Environmental Clean Technology (ECT). ECTs include, but are not limited to, renewable energy systems such as Wind Energy Conversion Systems (WECS), Solar Energy Systems (SES), and Geothermal Energy Systems (GES). Unless otherwise noted in these regulations, all ECT projects shall be subject to the following review and approval process:

1. **Application.** All petitioners seeking to construct or install an ECT must submit a complete Appearance Review application to the Development Services Department concurrently with a building permit application. ECT projects accessory to buildings or structures in the Old Orland Historic District or an Orland Park Landmark shall submit a complete Certificate of Appropriateness (COA) application to the Development Services Department concurrently with a building permit application. All ECT projects shall be reviewed in accordance with the regulations of this Section.
2. **Administrative Review.** The following ECT projects shall be reviewed and approved administratively via an Appearance Review by the Development Services Department, in accordance with Section 5-106 (Appearance Review):
  - a. Solar Energy Systems (SES)
  - b. Geothermal Energy Systems (GES)

3. **Review at a Public Meeting.** The following ECT projects shall require a review at a public meeting at the Plan Commission, followed by a review at the Development Services, Planning, and Engineering Committee meeting, and with final review and approval at a Village Board meeting:

a. Wind Energy Conversion Systems (WECS)

4. **Public Notifications.** Notification to all owners of record of residential uses within three hundred (300) feet of an ECT project is required prior to an ECT review at a public meeting at the Plan Commission. The petitioner shall be responsible for sending a notice of the proposed ECT project via certified mail, with return receipt requested, at least fifteen (15) to thirty (30) days in advance of the Plan Commission meeting. If no residential uses are located within the 300 foot buffer, notices are not required for the review at Plan Commission. The notice shall be titled "Environmental Clean Technology Review Notice" and shall include the date, time, and place of the Plan Commission meeting, the contact information of the Development Services Department, and a description of the type of ECT system proposed for the property. It is the petitioner's responsibility to submit a notarized affidavit to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

5. **Historic Landmarks or Properties in the Old Orland Historic District.** ECT projects accessory to a contributing structure in the Old Orland Historic District or an Orland Park Landmark shall require a Certificate of Appropriateness (COA) review by the Plan Commission, Committee, and Board of Trustees. ECT projects accessory to a non-contributing structure in the Old Orland Historic District shall require approval of an administrative Certificate of Appropriateness (COA) review by the Development Services Department.

6. **Permit Required.** All required building permits shall be obtained through the Development Services Department prior to the installation or construction of any ECT. No ECT shall be constructed, installed, or altered without first obtaining approval and issuance of a building permit.

C. **Solar Energy System (SES) Regulations.**

1. **General Requirements.** A solar energy system shall at all times be incidental and subordinate to a permitted use on the same parcel or lot, and shall comply with the following standards:

a. **Accessory Use.** Solar energy systems are accessory to the primary use on a property in all zoning districts. Accessory solar energy systems may be building-mounted, building-integrated, or freestanding.

b. **On-Site Use.** A solar energy system shall provide power for the principal and/or accessory use of the property on which it is located and shall not be used for the generation of power for the sale of energy to other users. Excess power generated by a solar energy system and not needed for on-site use may be provided back to the local utility company.

c. **Code Compliance.** Solar energy systems must comply with all applicable building, electrical, fire, and safety code requirements adopted by the Village, as amended, and all other regulatory and utility agencies.

d. **Required Permits.** The owner/operator of a solar energy system shall obtain approval and issuance of all necessary permits required by the Development Services Department and from outside agencies.

e. **Solar Access.** Owners of solar energy systems are solely responsible for negotiating with other property owners in the vicinity for any desired solar access easements to protect access to sunlight. Refer to Section 6-404.E for information on Solar Access Easements.

f. **Glare.** Solar energy systems shall be placed so that concentrated solar radiation or glare is not directed onto nearby properties, roadways, or public right-of-ways. If the solar energy system installation creates an adverse impact to the public or neighboring properties, the property owner will be

required to take measures to mitigate the impact or block the glare. Such measures may include screening or landscaping, or the relocation or removal of the solar energy system.

g. **Screening.** Solar energy systems shall be screened from view from streets, public rights-of-way, and adjacent properties. Screening may include walls, fences, or landscaping. Rooftop screening shall not be required for roof-mounted systems that are flush-mounted parallel to the pitch of the roof and provided that all regulations of this Section are met. All systems shall comply with the design standards and requirements provided in Section 6-308 (Design Standards).

h. **Electrical Wiring.** All cables and wiring associated with a solar energy system shall be located underground, routed through the building, or contained within conduit that complements the colors and materials of the principal or accessory structure. All power transmission lines, cables, and wires connecting a freestanding system to any other structure on the property must be located underground. All wiring visible from the street, public right-of-way, or adjacent residential properties shall be hidden from view and shall be routed inside the building or structure.

i. **Maintenance.** Solar energy systems must be maintained in good repair and in operable condition at all times. The owner of a solar energy system shall maintain such system in a safe and attractive manner, including replacement of defective parts, painting, cleaning, and other acts that may be required for the maintenance and upkeep of the function and appearance of the system. The ground upon which the solar energy system is located shall be maintained in an orderly manner, such that it is free of debris, tall grass and weeds, and any associated structures shall retain quality in appearance. If a system becomes inoperable or damaged, operations must cease and be promptly remedied.

j. **Abandonment and Decommissioning.** If a solar energy system remains nonfunctional, abandoned, or inoperable for a period of twelve (12) consecutive months, the owner/operator shall repair and make operable or remove the system within ninety (90) days of notice by the Village. Upon removal of the system, the site shall be returned to its original condition. The Village shall be authorized to remove a solar energy system when the above events occur and/or when the owner/operator does not comply with the regulations of this Section. The solar energy system will be removed at the expense of the owner/operator and the costs of removal shall be a lien against the property.

k. **Historic Landmarks or Properties in the Old Orland Historic District.** All solar energy systems permitted in the Old Orland Historic District or on Orland Park Landmarks require a Certificate of Appropriateness (COA) review per Sections 5-110 and 6-209, in addition to any other required approvals, prior to the submission of a building permit. Solar energy systems accessory to a contributing structure in the Old Orland Historic District or an Orland Park Landmark shall require a COA review by the Plan Commission, Committee, and Board of Trustees. Solar energy systems accessory to non-contributing structures in the Old Orland Historic District shall require approval of an administrative COA review by the Development Services Department. All solar energy systems shall conform to the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings. In addition to all other regulations outlined in this Section, solar energy systems shall meet the following requirements:

1. Solar energy systems shall be designed, sized, and located to minimize impacts to the character, historic building fabric, and architectural integrity of the site, building, or structure.
2. Solar energy systems shall not damage, obscure, or result in the removal of architectural features, historic materials, or other resources that characterize the property. Solar collectors should be installed on new construction, non-historic building additions, or secondary and accessory structures.
3. To the greatest extent possible, solar panels shall not be located on street-facing walls or roofs. All efforts should be made to minimize visibility from streets, public rights-of-ways, and adjacent



properties by locating solar collectors on rear-facing elevations, below and behind parapet walls, or on accessory structures.

4. Roof-mounted systems in the Old Orland Historic District or on Orland Park Landmarks shall be permitted so long as they are flush-mounted parallel to the pitch of the roof, setback from the roof edge, and colored to match the surrounding roof materials.

5. Freestanding systems shall be fully screened from view from streets, public rights-of-way, and adjacent residential properties. Placement and design should not detract from the historic character of the site or destroy resources that characterize the property.

1. **Exemptions.** The following shall be exempt from obtaining an ECT review and approval as detailed in Section 6-314.B, provided that all other code and permit requirements are met:

1. Solar collectors less than one (1) square foot in size that provide power for an individual light fixture and are integrated into the design of that light fixture, rather than as a separate connected mechanical device. Such systems include temporary solar pathway landscape enhancement lights and small-scale wall-mounted fixtures.

1. Solar collectors used as a power source for governmental signs.

2. **Building-Mounted Systems.** A building-mounted solar energy system may roof-mounted, wall-mounted, or building-integrated on a principal building or accessory structure, in accordance with the following conditions:

a. **Roof-Mounted Systems.**

1. **Location.** Where feasible, solar collector units shall be consolidated into one central area on the roof, rather than scattered in multiple groups on the roof. Solar collector panels shall not be attached to chimneys.

2. **Setback.** No part of a roof-mounted system shall extend beyond the edge of the roof, the parapet wall, or the exterior perimeter of the structure on which it is mounted. Solar collector panels shall meet all building and fire code setbacks required by the Village Code, as amended.

3. **Quantity.** A rooftop may be covered by as many collectors or arrays as may be spatially and structurally feasible, provided that systems shall not impede the required maintenance areas around mechanical equipment and meet all Village Code requirements.

4. **Flat Roofs.** On flat roofs, a solar energy system shall be completely screened from view from streets, public right-of-ways, and neighboring properties in accordance with Section 6-308.J (Screening). Solar energy systems may be angled to achieve maximum sun exposure, but shall not exceed eight (8) feet in overall height or extend above the building parapet, whichever results in less height. In no instance shall any part of the system extend beyond the edge of the roof or the highest point of the parapet or screening wall. Parapet walls, screening walls, and other screening methods may be waived by the Development Services Department if all parts of a solar energy system are completely screened from view from streets, public right-of-ways, and neighboring properties.

5. **Pitched Roofs.** On pitched roofs, a solar energy system shall be flush-mounted parallel to the pitch of the roof and shall not project higher than twelve (12) inches from the roof surface at any point. No portion of the solar energy system shall extend beyond the ridgeline of the roof, the roof eaves, or the vertical extension of the exterior wall.

b. **Wall-Mounted Systems.**

1. **Location.** Only building-integrated or flush-mounted systems shall be permitted on street-facing facades or primary building elevations. Systems that are not building-integrated or flush-mounted shall be permitted on elevations facing the rear and interior side yards.

2. **Projection.** Wall-mounted systems may project up to five (5) feet from a building façade.

3. **Setback.** Wall-mounted systems may project into a side or rear setback, but shall be no closer than five (5) feet to the side or rear property line.

4. **Height.** A building-mounted solar energy system may not extend above the highest point of the roofline or parapet wall of the building which the solar energy system is affixed to.

c. **Building-Integrated Systems.** Building-integrated solar energy systems are built into and contained within building materials such as roofing, windows, skylights, awnings, canopies, parking lot canopy shade structures, and similar architectural components. Building-integrated systems shall be permitted on all building facades and accessory structures provided the building component in which the system is integrated meets all required setbacks for the district in which the building is located. Exterior walls and finish materials shall comply with the masonry and building material requirements listed in Section 6-308 (Design Standards) and the Village Code, as amended.

3. **Freestanding Systems.** Freestanding solar energy systems shall comply with the following conditions:

a. **Location.** Freestanding solar energy systems shall only be permitted in the rear and interior side yard. No part of a freestanding system shall extend into a utility, water, sewer, or other type of easement.

b. **Setback.** All parts of a freestanding solar energy system shall be setback at least ten (10) feet from the interior side and rear property line. Freestanding systems shall also be located at least ten (10) feet from all primary and accessory structures, including swimming pools with attached decks.

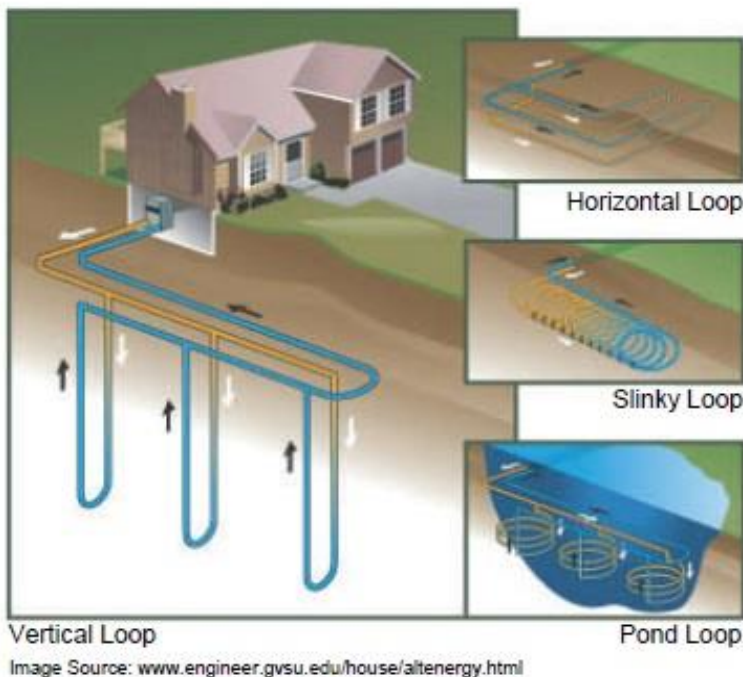
c. **Screening.** Freestanding systems shall be fully screened from view from streets, public rights-of-way, and adjacent properties. Screening may be achieved through the use of walls, fences, or landscaping.

d. **Height.** The maximum height of a freestanding solar energy system shall be six (6) feet, measured from the average grade at the base of the pole to the highest edge of the system when oriented at maximum vertical tilt.

e. **Size.** The overall surface area of the solar collectors shall be limited to a total of two hundred (200) square feet.

f. **Lot Coverage.** A freestanding solar energy system shall be exempt from lot coverage calculations provided that the soil under the collector is not compacted or is maintained in vegetation or a pervious surface. The solar energy system shall not obstruct storm water flow.

D. **Geothermal Energy System (GES) Regulations.** A Geothermal Energy System (GES) is a central renewable heating and cooling exchange system that uses heat generated beneath the earth's surface to heat or cool buildings via underground or underwater systems that pump heat energy into a building or visa versa.



**Figure 1: Geothermal energy system types include: 1) Vertical loop systems that reach deep into the earth; 2) Horizontal loop systems that stay near the surface but are below the frost line; 3) Slinky loop systems that maintain a moderate depth and increase the length/ capacity of the system on a compact lot; 4) Pond loop systems that sink geothermal cables into detention ponds; and 5) Open loop systems (not pictured) that are cables in the ground.**

1. **Geothermal Heat Pump System (GHPS).** Geothermal heat pump energy systems (GHPS), or ground source heat pumps, are installed indoors and underground via a system of looped coils or piping and invisible after installation and are permitted in all zoning districts via an ECT Review, subject to these regulations.

a. **Depth.** GHPS loop fields, coils, piping or other similar and associated underground infrastructure must be below the frost line. A geotechnical and engineering study is required to determine appropriateness and depth on a case by case basis.

b. **Setbacks.** GHPS loop fields, coils, piping or other similar underground infrastructure shall not encroach into public right-of-ways, ComEd transmission easements and right-of-ways, access roads, natural gas, fuel and other pipeline easements, floodplains, wildlife habitats and navigable waters of the United States. GHPS may be built up to the property line and, upon acquiring a geothermal access easement or similar agreement, encroach under neighboring properties to acquire an efficient scale or tonnage for heating and cooling in a building or site. GHPS must maintain a minimum distance of ten (10) feet from existing storm water, sewer and water main utilities, and twenty (20) feet from neighboring buildings or structures (except parking lots).

c. **Ground Source Subsidence.** GHPS shall not cause underground subsidence to the subject or neighboring properties during installation or any time thereafter. Subsidence is the process of pit or sag formations in the earth's crust due to undermining or trenching and filling of the surface and sub-surface. Correction of subsidence is the responsibility of the GHPS owner.

2. **Irrigated Geothermal Heat Pump Systems.** Irrigated geothermal heat pump systems consist of any system which uses a thermal exchange using ground water, surface water, heat pipes or tubes and are installed in and access underground aquifers (ground water) or storm water detention/retention basins (surface water) and are permitted in the BIZ, COR, MFG, ORI, R-4 and VCD zoning districts via

an ECT Review, subject to these regulations.

a. **Depth.** Loop fields, coils, pipes or other similar and associated underground/ underwater infrastructure must be below the frost line and a minimum of eight (8) feet below the normal water line of a detention/ retention basin. Also, see Section 6-314.D.1.a.

b. **Width and Setbacks.** Loop fields, coils, piping, tubing or other similar underwater system shall not extend above the surface of the normal water line of a storm water detention/ retention basin. Such systems must maintain a minimum distance of ten (10) feet from existing storm water infrastructure, such as culverts, and sewer utilities.

c. **Detention/ Retention Basin Volume Displacement.** Loop fields, coils, pipes or other similar underwater infrastructure shall not displace the volume of a storm water detention/ retention basin without providing necessary compensational storage.

3. **Small Scale Geothermal District Heating.** Geothermal district heating technology may be used in non-residential and multi-family home developments to heat multiple buildings on a single site, such as office campuses and condo and town home developments and between building owners.

4. **General Requirements.**

a. **Access.** A GES shall access the earth's thermal energy below grade and shall not be visible from the public right-of-way or neighboring properties. Access to neighboring properties may be granted by property owners via Geothermal Access Easements and Geothermal Sharing Agreements.

b. **Tree Removal.** Tree removal for a GES is not permitted. GES technology permits vertical thermal systems that can avoid trees and other planted areas.

c. **New Construction Mitigation.** New construction that impacts a GES must move the GES to a new location not impacted or bury it deeper than the impacted depth, subject to these regulations.

d. **Geothermal Access Easement.** See Land Development Code Section 6-404.F.

e. **Geothermal Sharing Agreement.** A geothermal sharing agreement may be prepared between property owners to preserve and protect geothermal energy access. Property owners may share a GES under mutual terms, conditions and agreements. Such an agreement may include: optimizing GES field sizes and well depths; provisions for shared access, transmission and use; provisions for heat and coolant exchange and transmission rates; relocating a GES; expanding a GES to increase capacity for multi-building district heating; and provisions for subsidence control.

f. **Geothermal Assurance.** These regulations make no assurance of geothermal access other than the provisions of this section. The petitioner must provide evidence of covenants, easements, agreements or similar documentation from property owners and neighboring property owners providing access to geothermal energy or geotechnical studies indicating feasibility for the operation of a GES.

g. **Design and Permitting.** The design of the GES shall conform to applicable industry standards. The necessary building permits shall be obtained for a GES per the Village Building Code (e.g. electrical, plumbing, mechanical etc.). All wiring and heating components shall comply with the latest applicable version of the National Electric Code (NEC) and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) as amended by the Village.

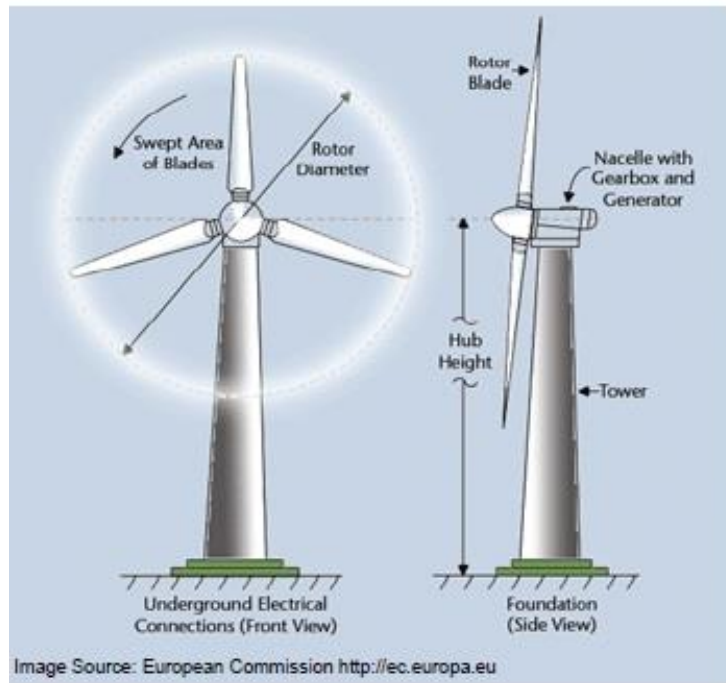
g. **Accessory Use.** Geothermal energy systems are accessory uses to the primary or principle use on a property or district in all zoning districts.

E. **Wind Energy Conversion System (WECS) Regulations.** A WECS consists of a wind turbine and blades (nacelle and rotor), one tower, support system and associated controls and conversion electronics for the purpose of converting kinetic energy from the wind into electrical energy. WECS have a wide range of rated capacities from less than one (<1) kilowatt (kW) to 1.5 megawatts (MW) and can have a height of up to two-hundred and fifty (250) feet.

The following regulations apply to the four classes of WECS recognized by the Land Development

Code: Residential Scale Wind Energy Conversion Systems (RESWECS), Mini Wind Energy Conversion Systems (MINIWECS), Small Scale Wind Energy Conversion Systems (SWECS), and Utility Scale Wind Energy Conversions Systems (UWECS).

Lattice or guyed WECS towers are not permitted for any WECS type or in any zoning district. The exception to this rule includes lattice towers under thirty (30) feet, towers with a rotor diameter of five (5) feet or less, and towers that generate power for pond aerators or farm well pumps.



**Figure 2: Wind turbine diagram**

1. **Residential Scale Wind Energy Conversion Systems (RESWECS).** Residential Scale Wind Energy Conversion Systems (0 kW to 10 kW) are accessory uses mounted directly on residential rooftops and are permitted via an ECT Review in the E-1, R-1, R-2, R-2A, R-3, R-3A, and R-4 zoning districts, subject to these regulations. In OOH Historic District, a Certificate of Appropriateness is required per Sections 5-110 and 6-209. Freestanding WECS are prohibited in residential districts.



*Figure 3: Examples of wall-mounted and roof-mounted Residential Scale Wind Energy Conversion Systems (RESWECS)*

a. **Height.** RESWECS shall not increase the height of a building by more than twelve (12) feet from the roofline and shall not be attached to chimneys. The maximum height of building with a roof-mounted RESWECS is set forth in Table 6-314.E.1.a.

<b>Table 6-314.E.1.a</b>	
<b>Zoning District</b>	<b>Maximum Height Permitted w/ RESWECS</b>
E-1, R-1	47 feet
R-2, R-2A, R-3, R-3A	42 feet
R-4	64 feet
OOH	47 feet

2. **Mini Wind Energy Conversion Systems (MINIWECS).** Mini Wind Energy Conversion Systems (0 kW to 10 kW) are accessory uses mounted directly on buildings or are freestanding towers. MINIWECS are permitted via an ECT Review in the BIZ, COR, MFG, and ORI zoning districts, subject to these regulations. Only MINIWECS mounted on buildings are permitted in the VCD district.

MINIWECS are intended to provide a small scale application of wind technologies on non-residential properties in the Village. They are adaptable systems that can easily be retro-fitted onto existing infrastructure and provide opportunities for distributed energy generation without large monopoles, turbines, new infrastructure or much visual or acoustic impact.

MINIWECS such as those in Figure 4 demonstrate rooftop turbines for non-residential and mixed-use buildings. Horizontal "aeroturbines" usually require a minimum amount of rooftop square footage to obtain the necessary capacity and need open spaces that are not blocked by rooftop mechanicals, parapets or other potential wind obstructions. Large, wide and tall rooftops are appropriate locations for horizontally-oriented turbines. Stand-up (vertical) roof-mounted turbines that extend higher than the roofline are more adaptable as it can be raised vertically to access wind above any potential obstructions.





***Figure 4: Examples of MINIWECS roof-mounted turbines oriented horizontally and vertically***

MINIWECS can also on occasion be freestanding renewable energy systems as depicted in Figure 5. Mixed-use districts are often diverse areas that can accommodate this infrastructure. In Figure 5, the monopole stands among mixed-use and multi-family residential structures.



***Figure 5: Example of a freestanding MINIWECS monopole turbine***

Figure 6 demonstrates concepts to utilize existing vertical infrastructure for MINIWECS

distribution. Mounted on parking lot or street light poles, MINIWECS can take advantage of height and wide-open spaces. Such infrastructure can offset the energy used to light parking lots or streets at night or to generate power to sell back to the utility and reduce peak energy demand.

In some cases, existing light poles may not structurally accommodate wind turbines. Such light poles will have to be re-built to accommodate the extra height and wind loads associated with turbines. The re-built systems would be MINIWECS with parking lot or street lights rather than street lights with MINIWECS. Such a conversion would be a co-location since the new infrastructure would replace similar infrastructure.



*Figure 6: Examples of locating MINIWECS turbines onto existing infrastructure, such as parking lot or street light poles*

a. **Height.** The maximum height of a MINIWECS shall not exceed fifty-five (55) feet from ground level to the top of the rotor blade.

3. **Small Scale Wind Energy Conversion Systems (SWECS).** Small Scale Wind Energy Conversion Systems (10 kW to 100 kW) can be accessory uses. They are freestanding towers and are permitted via a site plan and elevation review in the E-1 and VCD zoning districts for institutional uses only, and BIZ, COR, MFG and ORI zoning districts, subject to these regulations. A Special Use Permit is required when a SWECS is within three hundred (300) feet of a residential use. All residential uses within 300 feet must be notified.

SWECS are more intense than MINIWECS. They are intended for a higher capacity of energy output. SWECS tend to be larger in scale and can often be incorporated into site plans and building designs. In Figure 7, SWECS with parallel rotation to the ground are spread across parking lots and green spaces. SWECS shown in Figure 7 are recommended in more commercial areas and open places like, parking lots, plazas, and common areas.



*Figure 7: Examples of SWECS with parallel rotation to the ground*



In Figure 8, an onsite SWECS is shown in the more familiar and traditional wind turbine appearance. SWECS like these are typically associated with a higher rated energy output. These systems are for onsite energy production and are usually net-metered with the utility. They are not recommended in dense settings. Appropriate locations for such SWECS are in MFG or ORI districts where there is an industrial scope and scale.



*Figure 8: Example of a SWECS with horizontal axis rotator blades*

a. **Height.** The maximum height of a SWECS shall not exceed one-hundred and twenty (120) feet to the top of the rotor blade. The Development Services Department may grant additional height upon request and justification.

4. **Utility Scale Wind Energy Conversions Systems (UWECS).** Utility Scale Wind Energy Conversions Systems (100 kW to 1.5 MW) are free standing utility-owned towers and permitted via special use in the MFG and ORI zoning districts, subject to these regulations. UWECS may locate with a special use within one-hundred and fifty feet (150) of Interstate 80. UWECS are not permitted in OS, OOH, E-1, R-1, R-2, R-2A, R-3, R-3A, R-4, VCD, BIZ, and COR zoning districts or within five hundred (500) feet of a residential use.

UWECS are intended only for utility companies like ComEd. UWECS, also known as wind farms as shown in Figure 9, are often located on large parcels and stretch from a few acres to multiple square miles. There are only a few areas that may be suitable for a UWECS in Orland Park and they must locate near transmission lines to be effective.



*Figure 9: Examples of a WECS solar farms*

WECS are not permitted to locate within five hundred (500) feet of residential uses due to their scale. Height is often determined by surrounding obstructions and prevailing wind patterns. The height of these turbines, however, is often no greater than some existing wireless communication/cell towers, water towers and radio antennas.

Setbacks from specific land uses typically mitigate visual and acoustic impacts of turbines. They tend to be no more of a nuisance than wireless communication towers.

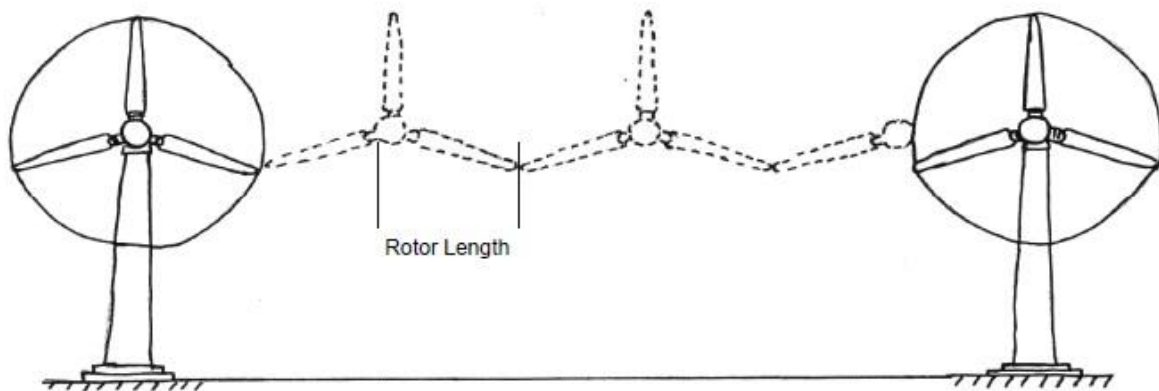
a. **Height.** The maximum height of a WECS shall not exceed two hundred (200) feet from ground level to the top of the rotor blade. The Development Services Department may grant additional height subject to the findings of a wind energy analysis.

#### 5. **General Requirements.**

a. **Setbacks.** A WECS must be located a minimum distance equal to 1.1 times the total height from any property line in a non-residential zoning district. In a residential zoning district, a WECS must locate according to the established building setbacks and cannot locate between the front or corner side building façade and the street.

b. **Spacing Parameters and Wind Accessibility.** The following are spacing parameters and requirements for freestanding WECS towers and co-located WECS equipment:

1. A WECS tower must be located a minimum distance of twenty (20) feet from any principal structure(s) on a parcel.
2. Co-located WECS equipment must be located a minimum distance of five (5) rotor lengths from non-WECS mechanical, electronic, telecommunication or other equipment on a tower, building or other structure.
3. Multiple WECS on a site must be spaced a minimum distance equal to five (5) rotor lengths, based upon the size of the largest rotor, from adjacent WECS.



*Figure 10: Diagram depicting the required rotor length measured as the length of the blade plus the diameter of the nacelle or nose of the turbine. All wind turbine types must be spaced a minimum distance equal to five (5) rotor lengths.*

c. **Safety.** The following are minimum safety requirements for WECS:

1. All WECS must have a manual and automatic braking system device capable of halting operation to prevent damage in high winds.
2. For freestanding towers, the structural engineer shall prescribe at a minimum two (2) 5/8 inch diameter ground rods installed to a depth of eight (8) feet.
3. Non-RESWECS must be designed to withstand a minimum wind velocity of one hundred (100) miles per hour, with an impact pressure of forty (40) pounds per square foot.
4. All WECS structures including towers, buildings and their related foundations, footings, anchors and electrical connections must meet the requirements of the Village Building Code and be engineered by a licensed structural engineer and meet all necessary engineering code related requirements.
5. The minimum distance between the ground and any protruding blades utilized on a WECS shall be twenty (20) feet as measured at the lowest point of the arc of the blades.
6. Wind turbines must meet the most recent AWEA Small Wind Turbine Performance and Safety Standards and the International Electrotechnical Commission IED 61400 standards. Turbines must be certified by the Small Wind Certification Council or other certification program recognized by the American Wind Energy Association.

d. **Security.** All WECS ground equipment (e.g. batteries, boxes etc.) shall be enclosed within a lockable six (6) foot high fence enclosure constructed of either wood or non-white vinyl material, or in a masonry utility building. All climbing apparatuses affixed to a WECS must terminate twelve (12) feet above the ground.

e. **Electromagnetic Interference.** No WECS shall cause electromagnetic degradation or radio frequency interference in performance of other electromagnetic radiators or receptors of quality and proper design.

1. The determination of degradation of performance, quality and proper design shall be made in accordance with best engineering practices as defined in the latest principles and standards of the American Institute of Electrical Engineers (AIEE), the Institute of Radio Engineers (IRE) and Electrical Industries Association (EIA). In case of conflict between these standards, precedence is given to the AIEE.

2. WECS shall use non-metallic rotor blades unless documentation is supplied from an appropriate testing laboratory certifying that a proposed metallic blade rotor will not cause electromagnetic interference.

3. Any ordinance that grants a WECS operation, whether special use or otherwise, may be repealed or revoked whenever electromagnetic interference from a WECS is evident.

f. **Interconnectivity and Transmission.** SWECS and UWECS may connect to the electric transmission grid using the public right-of-way following the necessary permission from ComEd and compliance with the Village Code. Transmission conduits/lines providing connections to the grid or to buildings/batteries must be installed underground. RESWECS and MINIWECS shall provide power to the property on which it is located and shall not be used for the sale of energy to other users offsite. Excess power generated by these may be sold to the grid. ComEd shall determine grid interconnection and net metering policies. Transmission lines and appurtenances may locate on public right-of-way or on any other real property provided the necessary licenses, easements, leases, rights- of-way or other similar land rights for access and maintenance are obtained.

g. **Sounds and Vibrations.** A WECS shall be installed and operated such that sound pressure levels do not exceed the definitions of nuisance "noise" and "vibrations" as established by the Village Code. During short term events such as storms and utility outages, when WECS equipment can potentially create nuisance "noise" and "vibrations", a WECS may exceed the Village Code nuisance requirements if it cannot be manually shut down by the owner. In the event a full battery bank is causing a WECS to exceed Code noise and vibration requirements, the WECS must be shut off until the battery bank is depleted.

h. **Decommissioning.** The Village, through proper legal procedures, may require the owner of a WECS or owner of the land where the WECS is located to remove the WECS upon occurrence of any of the following events:

1. The WECS was not constructed in accordance with the Village requirements;
2. The WECS has deteriorated from lack of maintenance;
3. The WECS has been inactive for a period of at least six months and shall be considered abandoned;
4. The WECS creates irresolvable electromagnetic interference;

The Village shall be authorized to remove a WECS when the above events occur and when the WECS owner and/or the land owner do not comply with these regulations. The WECS and all associated and ancillary equipment, batteries, devices, structures or supports for that system will be removed at the owner's and/or land owner's expense and the costs of removal shall be a lien against the property.

i. **Letter of Credit or Other Security Method.** SWECS and UWECS will require a letter of credit or other security method to assure for the proper construction of public improvements associated with the WECS. The letter of credit or other security method is determined according to Section 5-112 of these regulations.

j. **Signage, Lights, Colors and Other Advertisements.** No letters, insignia, logos, flags, banners, balloons, ribbons, tinsel, streamers, pennants, reflectors, spinners or signs shall be affixed to a WECS. WECS shall not be lit and commercial lighting fixtures shall not be attached. WECS shall be painted white, gray or another non-reflective, unobtrusive color. The only advertising sign permitted on the WECS shall be a manufacturer's label, not exceeding one (1) square foot in size.

k. **Historic Preservation.** WECS permitted in OOH or on Orland Park Landmarks require a Certificate of Appropriateness per Sections 5-110 and 6-209 in addition to any other required approvals, prior to submission of a building permit.

l. **Test WECS.** A Test WECS is permitted following a site plan and elevation review at Plan Commission and with formal approval by the corporate authorities of the Village. Test WECS must be dismantled within three (3) years of installation and are subject to the requirements of Section 6-314.E.3

for SWECS or 6-314.E.4 for and UWECS. For the purposes of this Section, Test WECS are trial SWECS and UWECS that are designed solely to collect wind generation data and are subject to these regulations. RESWECS and MINIWECS are not permitted to have Test WECS status.

m. **Aviation Rules and Regulations.** The proposed WECS must be in compliance with all Federal Aviation Administration regulations and shall comply with the notification requirements of the FAA.

F. **Biomass: Waste to Energy Strategies.**

1. **Onsite Commercial Composting.** An onsite commercial composting facility is the portion of a site or facility that is used for composting of food scrap or food waste and is permitted in non-residential areas of the BIZ, COR, MFG, ORI and VCD zoning districts provided that they do not locate within three hundred (300) feet of a residential property, hospitals, primary and secondary school properties, and daycare centers.

a. **Setbacks.** Onsite commercial composting facilities must locate within the established building setbacks within the local zoning district.

b. **Enclosures and Screening.** Onsite commercial composting facilities shall be co-located within existing onsite waste collection enclosures and shall be screened by a fence constructed of either solid masonry, wooden or non-white vinyl fence materials and screened by native landscaping following the requirements of Section 6-302.D of the Land Development Code. A composting container shall not exceed the size of the largest waste collection dumpster or container within the waste collection enclosure or an eight (8) yard container whichever is less.

c. **Composting Rules.**

1. All food scrap or food waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled pursuant to Illinois Public Act 096-0418 (415 ILCS 5/3.330).

2. All food scrap or food waste must be covered in a manner that prevents scavenging by birds and animals and that prevents a visual, odor or other nuisance(s) at all times.

3. Onsite commercial composting facilities shall not be located in storm water detention or stream setbacks.

4. Onsite commercial composting facilities must be flood-proofed.

5. A regular schedule of onsite composting collection must be maintained. Compost cannot remain on site more than one week.

d. **Sale of Biomass and Biofuel.** Commercial composting may be sold to biomass and or biofuel energy plants, biomass facilities, agricultural industries, distributors, etc. as a commodity.”

## SECTION 27

The Code, as amended, is hereby further amended to delete in their entirety the text and Tables of Subparagraphs A.1. and A.2. a. and b. of Section 6-315 (EXTERIOR LIGHTING) and to substitute the following as the new text and Tables of Subparagraphs A.1. and A.2.a and b. of Section 6-315:

### “SECTION 6-315. EXTERIOR LIGHTING.

#### A. Purpose.

1. Exterior lighting is used to illuminate residential, commercial, industrial and public uses; parking lots, sidewalks, signs, and other elements within the Village. When well-designed and properly installed, exterior lighting is very useful in improving visibility and safety, providing a sense of security, and complementing the character of the Village. If exterior lighting is not well-designed and properly installed it can be inefficient, cause glare, and create light trespass and sky glow. Light trespass falling over property lines can illuminate adjacent grounds or buildings in an objectionable manner. In order to insure that exterior lighting is well-designed with limited impacts on adjacent properties, the following requirements are set forth to control exterior lighting in both residential and non-residential zoning districts.

#### 2. Standards and Requirements.

- a. Lighting Classes. The standards and requirements set forth in the following tables shall regulate and govern the use of, design of, construction or modification of any lighting system for the purpose of illuminating exterior areas including, but not limited to, signs, parking areas, buildings, landscaping, porches, and driveways. Each Lighting Zone is comprised of and defined by the correlated Land Uses listed in Table 6-315.2.a (A).

Table 6-315.2.a (A) - Lighting Classes by Land Use	
Lighting Class 1	Auto Dealerships and Large Retail Centers (land area $\geq$ 500,000 sf)
Lighting Class 2	Manufacturing and Storage, Commercial, and Mixed-Use
Lighting Class 3	Civic and Institutional, Multi-Family Residential, and Office
Lighting Class 4	Single-Family Residential

1. Lighting Class 1. Land uses for Lighting Zone 1 include Auto Dealerships and Large Retail Centers (land area  $\geq$  500,000 sf).

Table 6-315.A.2.a.1 (A) - Lighting Class 1		
Foot Candles at Lot Line	Non-Residential to Non-Residential	5.0
	Non-Residential to Residential	0

	<b>Adjacent to Public Right-of-Way</b>	<b>0.5</b>
<b>Lumens Per Square Foot</b>	Maximum lm/sf	7.0
<b>Internal Footcandles</b>	Maximum fc level permitted	40 fc

2. Lighting Class 2. Land uses for Lighting Zone 2 include Manufacturing and Storage, Commercial, and Mixed-Use.

<b>Table 6-315.A.2.a.2 (A) - Lighting Class 2</b>		
<b>Foot Candles at Lot Line</b>	Non-Residential to Non-Residential	5.0
	Residential to Residential	2.0
	Non-Residential to Residential	0
	<b>Adjacent to Public Right-of-Way</b>	<b>0.5</b>
<b>Lumens Per Square Foot</b>	Maximum lm/sf	3.0
<b>Internal Footcandles</b>	Maximum fc level permitted	15 fc

3. Lighting Class 3. Land uses for Lighting Zone 3 include Civic and Institutional, Multi-Family Residential, and Office.

<b>Table 6-315.A.2.a.3 (A) - Lighting Class 3</b>		
<b>Foot Candles at Lot Line</b>	Non-Residential to Non-residential	2.0
	Residential to Residential	1.0
	Non-Residential to Residential	0
	<b>Adjacent to Public Right-of-Way</b>	<b>0.5</b>
<b>Lumens Per Square Foot</b>	Maximum lm/sf	2.5
<b>Internal Footcandles</b>	Maximum fc level permitted	10 fc

4. Lighting Class 4. Land use for Lighting Zone 4 is Single-Family Residential.

<b>Table 6-315.A.2.a.4 (A) - Lighting Class 4</b>		
<b>Foot Candles at lot line</b>	Non-Residential to Non-Residential	2.0
	Residential to Residential	0.5
	Non-Residential to Residential	0
	<b>Adjacent to Public Right-of-Way</b>	<b>0.5</b>

<b>Lumens Per Square Foot</b>	Maximum lm/sf	1.0
<b>Internal Footcandles</b>	Maximum fc level permitted	10 fc

- b. **Luminaire Height, Setback, and Cutoff Degree.** Table 6-315.A.2.b(A) below determines the required setback of a fixture based on the height of the luminaire and extent of its cutoff shielding. **Setback is measured from adjacent lot lines. The maximum luminaire height allowed on private properties within the Village is twenty-five feet (25') from grade.** Any minor deviation from the regulations listed in Table 6-315.A.2.b (A) may be approved at the discretion of the Development Services Department. Luminaire height shall be rounded to the closest correlated height listed in Table 6-315.A.2.b(A) when determining required luminaire setback.”

**Table 6-315.A.2.b(A) - Allowable Luminaire Height, Required Luminaire Setbacks, and Cutoff Degrees**

		Luminaire Cutoff Degree			
		Full Cutoff	Cutoff	Semi- Cutoff	No Cutoff
<b>Luminaire Height (in feet)</b>	<b>25</b>	10ft	20ft	40ft	Not Permitted
	<b>20</b>	8ft	16ft	32ft	Not Permitted
	<b>15</b>	6ft	12ft	24ft	30ft
	<b>10</b>	4ft	8ft	16ft	20ft
	<b>5</b>	2ft	4ft	8ft	10ft
		<b>Required Setback (in feet)</b>			

## SECTION 28

This Ordinance shall become and be effective immediately upon its passage 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.