

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Sections 2-102, 6-207, 6-208, 6-210, 6-211, 6-212 and 6-307)

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

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

WHEREAS, amendments have been proposed regarding distilleries, parking lot setbacks, setbacks in the MFG Manufacturing District, special uses for commercial retail establishments in the COR Mixed Use District, and signs in the Main Street Downtown Area; and

WHEREAS, the Plan Commission of the Village held a public hearing on November 13, 2012 on whether the proposed amendments should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said public 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, 6-207, 6-208, 6-210, 6-211, 6-212 and 6-307 of the Land Development Code of the Village be made, and this Board of Trustees has duly considered said report and findings and recommendations; and

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

SECTION 1

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

SECTION 2

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the definition of "Distillery" to Section 2-102, which shall read in its entirety as follows:

Distillery means a processing facility for the production and packaging of less than 5,000 gallons of alcoholic beverages or spirits per year through fermentation and usually concentrating on

exotic or specialty spirits. Distilleries may include a production facility where fruit are crushed, fermented or pressed, where bulk still/spirits are stored in tanks or barrels, or where distillery operations such as racking, filtering, blending or bottling of spirits are carried out. The facility may also bottle, warehouse and distribute spirits but may not provide product directly to a consumer on a retail basis.

SECTION 3

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 5, "Parking Lot Setbacks," of Paragraph F, "Setbacks," of Section 6-207 and to substitute the following as new text for Subsection 5 of Paragraph F of Section 6-207:

5. A minimum landscaped setback must be provided between the parking lot and the primary street right-of-way that accommodates the required landscape bufferyard area per Section 6-305.

SECTION 4

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 18 of Paragraph B, "Permitted Uses," of Section 6-208 and to substitute the following as new text for Subsection 18 of Paragraph B of Section 6-208:

18. Wineries and Microbreweries under 12,000 square feet, and Distilleries under 5,000 square feet, provided they are located at least 300 feet from a residential district or use as measured from the area of activity.

SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 15 of Paragraph C, "Special Uses," of Section 6-208 and to substitute the following as new text for Subsection 15 of Paragraph C of Section 6-208:

18. Wineries and Microbreweries over 12,000 square feet, and Distilleries over 5,000 square feet, or within 300 feet from a residential use or district as measured from the area of activity.

SECTION 6

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Paragraph F, "Setbacks," of Section 6-208 and to substitute the following as new text for Paragraph F of Section 6-208:

F. Setbacks. The following setback standards shall apply to property in the MFG District. For square corner lots, where neither side is narrower to determine the front setback, the "front" setback shall be considered based on the location of the building's main door; the non-entry side of the building shall therefore be considered as the "side" setback.

1. Front. The front setback from the right-of-way shall be the following:
 - a. Arterials: Thirty-five (35) feet;
 - b. All Other Streets: Twenty-five (25) feet;
2. Side. The side setback from the right-of-way and from the side lot line that does not abut a right-of-way shall be the following:
 - a. All Streets: No minimum setback. The maximum setback shall be twenty (20) feet;
 - b. Non-Streets: Fifteen (15) feet;
3. Rear. The rear setback from an abutting right-of-way shall conform to the same setback standards outlined in subsection 6-208.F.1 above, titled "Front". The rear setback from the rear lot line that does not abut a right-of-way shall be twenty (20) feet.

SECTION 7

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the following as a new Subsection 6 of Paragraph C, "Special Uses," of Section 6-210 which shall read in its entirety as follows and to renumber the remaining Subsections of Paragraph C accordingly:

6. Commercial retail establishments with a floor area of 50,000 square feet or greater.

SECTION 8

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 5, "Parking Lot Setbacks," of Paragraph F, "Setbacks," of Section 6-210 and to substitute the following as new text for Subsection 5 of Paragraph F of Section 6-210:

5. A minimum landscaped setback must be provided between the parking lot and the primary street right-of-way that accommodates the required landscape bufferyard area per Section 6-305.

SECTION 9

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 21 of Paragraph B, "Permitted Uses," of Section 6-211 and to substitute the following as new text for Subsection 21 of Paragraph B of Section 6-211:

21. Wineries and Microbreweries under 12,000 square feet, and Distilleries under 5,000 square feet, provided they are located at least 300 feet from a residential district or use as measured from the area of activity.

SECTION 10

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 17 of Paragraph C, "Special Uses," of Section 6-211 and to substitute the following as new text for Subsection 17 of Paragraph C of Section 6-211:

17. Wineries and Microbreweries over 12,000 square feet, and Distilleries over 5,000 square feet, or within 300 feet from a residential use or district as measured from the area of activity.

SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph e, "Parking lot setbacks from all lot lines," of Subsection 6, "Setbacks," of Paragraph D, "Bulk Requirements," of Section 6-212 and to substitute the following as new text for Subparagraph e of Subsection 6 of Paragraph D of Section 6-212:

e. Parking lot setbacks: A minimum landscaped setback must be provided between the parking lot and the primary street right-of-way that accommodates the required landscape bufferyard area per Section 6-305.

SECTION 12

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add a new Paragraph S, entitled "Signs Permitted for the Main Street Downtown Area – Sign District #5," to Section 6-307, which shall read in its entirety as follows:

S. Signs Permitted for the Main Street Downtown Area – Sign District #5

In addition to those signs identified in Subsection N and Subsection P.1, above, the following signs shall be allowed in the Main Street Downtown Area, in accordance with the regulations set forth in this Subsection S and elsewhere in this Section. The sign regulations of Subsection S shall apply only to buildings located in the Main Street Downtown Area, the triangular boundaries of which are as follows: 143rd Street on the south, La Grange Road on the east, and the railroad tracks on the west.

1. Wall Signs.

a. One (1) wall sign shall be allowed per lot frontage on a public right-of-way. One (1) wall sign may also be added on one building side/ façade without street or aisle frontage, if no residences are adjacent. However, where a building has a rear entrance which is not visible from

another sign, an additional sign which also directs persons to the rear entrance may be posted above or to the side of the rear entrance, provided that such sign does not exceed four (4) square feet in sign face area. Secondary wall signs will be allowed for business establishments as follows:

1. 15,000 – 50,000 square-foot building – two (2) secondary wall signs.
2. Over 50,000 square-foot building – four (4) secondary wall signs.

The maximum total sign area of all wall signs shall not exceed 7.5% of the total square footage of the first two (2) stories of building elevation on which it is placed.

b. The maximum sign area shall be 7.5% of the total square footage of the first two (2) stories of building elevation on which it is placed, or in the case of multi-tenant mixed-use buildings, each tenant or owner may have a sign area not to exceed 7.5% of the total square footage of its leased exterior storefront.

c. Commercial buildings may have an entrance identification sign on a wall other than specified above, provided that the entrance identification sign does not exceed ten (10) square feet and is located on the wall within ten (10) feet of the primary public entrance which leads directly into a lobby or waiting area.

d. Wall signs may not cover any part of a window or extend above the roof line.

e. Canopy signs are considered wall signs and:

1. Must be opaque;

2. Lettering must not exceed 20% of the total canopy area, subject to the other wall sign area limitations in this section; and

3. Canopies are limited to placement above windows and doors.

f. Movie theatres may have, as additional signs, attraction board wall signs. The traditional marquee sign shall be permitted.

g. A wall sign shall extend no further than eighteen (18) inches from the wall to which it is attached.

2. Window Signs.

a. There shall be no more than fifty percent (50%) of each window area covered with window signs or images. Window signs must be adhered from the inside. On multi-story buildings, window signs are only permitted on the first story, street-level. Spandrel glass is not considered a window. No window signs are allowed on spandrel glass.

b. Neon lettering shall be permitted on window signs. However, the window cannot be framed in neon.

3. Projecting Signs.

a. One (1) vertically oriented projecting sign may be permitted per lot frontage on a public right-of-way. The following criteria shall apply to vertically oriented projecting signs:

1. The top of the vertically oriented projecting sign shall not extend more than ten (10) feet or one (1) story above the building's parapet.

2. The bottom of the vertically oriented projecting sign shall be at least eight (8) feet above grade at the building.

3. The thickness of the vertically oriented projecting sign shall not measure more than two (2) feet wide.

4. The maximum projection of the sign shall extend no further than five (5) feet at its furthest extent from the wall to which it is attached. The sign shall provide a minimum clearance of six (6) inches between the wall and the sign face.

5. The maximum sign face area of each side of a vertically oriented projecting sign shall be 7.5% of the total square footage of the building elevation on which the sign is located, cumulatively covering up to four (4) stories. When the sign-face is perpendicular to the wall, the vertically oriented projecting sign must be double-sided.

6. A sign is considered vertically oriented when the height of the sign is greater than its length.

b. One (1) horizontally oriented projecting sign shall be permitted per leased exterior storefront. The following criteria shall apply to horizontally oriented projecting signs:

1. The top of the horizontally oriented projecting shall not be more than fifteen (15) feet, six (6) inches above grade at the building.

2. The bottom of the horizontally oriented projecting sign shall be at least eight (8) feet above grade at the building.

3. The thickness of the horizontally oriented projecting sign shall not measure more than two (2) feet wide.

4. The maximum projection of the sign shall extend no further than five (5) feet at its furthest extent from the wall to which it is attached. The sign shall provide a minimum clearance of four (4) inches between the wall and the sign face.

5. The maximum sign face area of each side of a horizontally oriented projecting sign shall not exceed 7.5% of the total square footage of its leased exterior storefront. When the sign-face is perpendicular to the wall, the horizontally oriented projecting sign must be double-sided.

6. A sign is considered horizontally oriented when the height of the sign is less than its length.

c. In addition to the guidelines outlined in Subsection J.3, the following design guidelines shall apply to vertically and horizontally oriented projecting signs:

1. Projecting signs shall be reviewed administratively for appearance by the Development Services Department.

2. Projecting signs shall be oriented toward pedestrians, whenever possible.

3. Durable mounting hardware shall be attractive and an integral part of the sign design. Metal brackets with decorative and complex shapes are encouraged where appropriate to add to the character of the building.

4. Projecting signs shall not cover architectural details and shall be integrated with the architectural façade elements.

5. External illumination is preferred, particularly for smaller sidewalk oriented signage.

6. The light source of externally illuminated projecting signs shall not be visible or create glare.

7. Projecting signs attached to the roof or building using guy wires and/or other attachments such as extension poles etc. is prohibited.

SECTION 13

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

SECTION 14

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

SECTION 15

This Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner provided by law. It is ordered that publication of this Ordinance be

made by the duplication thereof in pamphlet form, said pamphlets to be deposited in the office of the Village Clerk of the Village of Orland Park, for general distribution.