

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O'Sullivan

14700 S. Ravinia Avenue
Orland Park, IL 60462
708.403.6100
orlandpark.org

**ORLAND
PARK****DEVELOPMENT SERVICES****TRUSTEES**

William R. Healy

Cynthia Nelson Katsenes

Michael R. Milani

Sean Kampas

Brian J. Riordan

Joni J. Radaszewski

Date: June 27, 2024

To: George Koczwar, Village Manager
Jim Culotta, Assistant Village Manager

From: Steve Marciani, Director of Development Services
Carrie Haberstich, Assistant Director of Development Services

Re: **Revise and Update Development and Subdivision Exactions:
Dedication of Land and Fees in Lieu of Dedication**

On November 21, 2023, the Plan Commission reviewed case 2023-0915, a proposed substantial amendment to the Development and Subdivision Exactions regulations in Section 5-112.H. of the Village's Land Development Code to conform to industry standards associated with residential development.

Overview

The premise behind these regulations is to ensure land and fees that are attributable and proportionate to growth-related development within the Village, are provided to serve new residential development. The following categories are impacted most by residential growth:

- Schools
- Parks
- Libraries
- Recreation Facilities
- Open Space
- Law Enforcement
- Fire and Emergency Responses
- Village Public Infrastructure

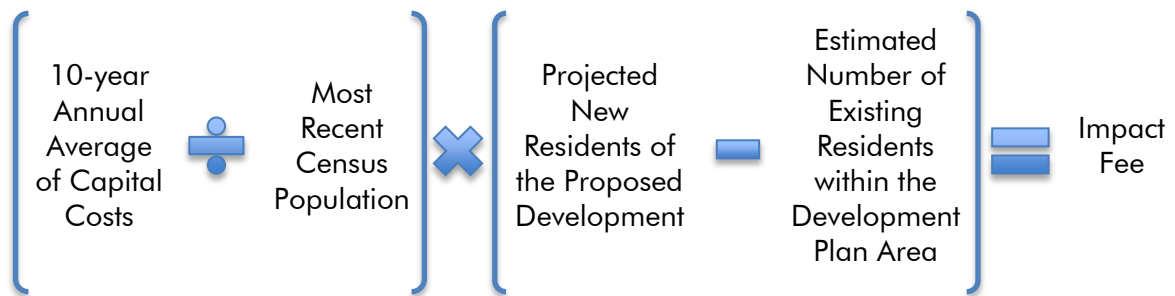
Revision Details

Generation studies, land value reports, and other supporting data have been researched to inform the recommendations contained within the proposed regulations. The following criteria will apply to the delivery of land, fees in lieu of dedication, exactions, or impact fees:

- Intergovernmental Agreement (IGA). An IGA will be required for the Village to assist with the delivery of land and/or fees for any of the aforementioned entities. Should an IGA not be executed between an entity and the Village, the transaction with the intended recipient and/or service provider will not occur.
- Needs Assessment. Each recipient and/or service provider is to prepare a study to assess the need for land, facilities, capital improvements, and services due to the new growth. The

needs assessment must occur at least every 5 years and consider the previous 10 years of an entity's annual capital costs.

- Schools. Land dedication and/or cash in lieu of land ("land-cash contribution") will be based on the anticipated increase in student population within the development. The value will be increased from \$90,000/acre to \$300,000/acre. Contributions are expected to be made on a per-permit basis by the applicant at the time a building permit is issued.
- Parks and Recreation Sites. The land-cash contribution will be based on 7 acres of parks per 1,000 residents. Like schools, any cash contribution will be based on \$300,000/acre and be paid on a per-permit basis. Any donated land shall not include wetlands, floodplain, or detention facilities.
- Impact Fees. Fire and Rescue, Law Enforcement, Library, and Village Public Infrastructure fees will be based on the following formula:



- Excluded "Dwelling Units". Land-cash contributions for assisted living developments and age-restricted developments will be reduced for parks and recreation, and generally deemed waived for schools.

The remaining sections of the recommended ordinance describe the transfer protocol for land, impact fees, and cash-in-lieu; objections to be made in writing prior to the approval of the final plat of subdivision; rules of construction; and definitions.

Plan Commission Summary

Discussion during the November 21 Plan Commission meeting included land costs, park acreage ratios, and road improvements:

- Confirmed the land value is now \$300,000/acre.
- Confirmed the park ratio of 7 acres/1,000 population is in the proposed ordinance and the existing Land Development Code has both 7 acres/1,000 population and 10 acres/1,000 population. The former is for impact fee calculation and the latter is based on a Comprehensive Plan recommendation.
- Concern was expressed regarding removing the transportation exaction fees, as the need for road improvements is critical for the Village. Since the amount of reporting to justify transportation exactions is significant, it is recommended a Village Public Infrastructure impact fee replace the transportation exaction, and transportation improvements be funded by other funding sources. Public infrastructure may include sidewalks, streetlights, curbs, etc.; however, it will not include road improvements.

The Plan Commission recommended by a vote of 5 ayes, 0 nays, and 2 absent, to recommend approval of "An Ordinance Amending Section 5-112.H. of the Village of Orland Park Land Development Code, Ordinance No, 2084, to Revise and Update Development and Subdivision Exactions: Dedication of Land and Fees in Lieu of Dedication".

After Plan Commission

Following the Plan Commission meeting, Staff worked with counsel to incorporate comments by the Plan Commission and additional Staff input regarding smoother procedural implementation and formula adjustments. These changes, found in the margins of the attached Ordinance, are substantive enough that additional review is warranted.

Staff is recommending that the Committee of the Whole refer this case back to Plan Commission so that they can provide a recommendation on the amendment in its current form and any other changes suggested by the Committee. Prior to placing this on the Plan Commission agenda, Staff will afford impacting taxing districts with an additional opportunity to comment on the proposed Ordinance. This additional comment period will be for 30-days, after which the draft Ordinance will be presented to the Plan Commission. The final Plan Commission recommendation would then be placed on a Board of Trustees Agenda, with implementation to begin 90 days after the Board approval to allow the affected taxing bodies time to enter into the required intergovernmental agreements.

Recommended Action

Staff recommends to accept and make findings of fact as recommended by the Plan Commission on November 21, 2023, and within the staff memo dated June 27, 2024;

And

Staff Recommends the Committee of the Whole provide feedback regarding the Land Development Code Amendments for Section 5-112.H as presented in the attached draft ordinance titled "Revise and Update Development and Subdivision Exactions: Dedication of Land and Fees in Lieu of Dedication", dated June 27, 2024, with a Plan Commission review of suggested amendments at a future meeting.

Recommended Motion

I move to recommend to the Village Board to approve the Plan Commission Recommended Action regarding case number 2023-0915 as presented in the Staff Report.

THIS PART IS FOR REFERENCE ONLY (NOT NECESSARY TO BE READ OUT LOUD)

I move to recommend the Village Board approve the Plan Commission Recommended Action for the Land Development Code Amendments for Section 5-112.H as presented in the attached draft ordinance titled "Revise and Update Development and Subdivision Exactions: Dedication of Land and Fees in Lieu of Dedication", dated June 27, 2024.