

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Section 2-102, Section 5-106, Section 6-204, Section 6-205, Section 6-206, Section 6-207, Section 6-208, Section 6-210, Section 6-211, Section 6-212, and Section 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 definitions of animal services, domestic pet services, medical office, motor vehicle services, office and personal service establishment; appearance reviews for restaurants; deletions of references to "nursing homes" and addition of references to "congregate elderly housing"; setbacks and lot coverage in the R-4 Residential District; permitted and special uses in the RSB Residential and Supporting Business District; fencing requirements for restaurants with outdoor seating where liquor is served, permitted uses and special uses in the BIZ Business District, MFG Manufacturing District, COR Mixed Use District, and ORI Mixed Use District; permitted uses, special uses and floor area ratio requirements in the VC Village Center District; prohibited signs and signs in commercial/office districts; and

WHEREAS, the Plan Commission of the Village held a public hearing on July 12, 2011 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 Section 2-102, Section 5-106, Section 6-204, Section 6-205, Section 6-206, Section 6-207, Section 6-208, Section 6-210, Section 6-211, Section 6-212, and Section 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.

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

SECTION 1

This Board finds and determines that the adoption of the following amendments to the Land Development Code of the Village of Orland Park is in the best interests of the Village and its residents, is in the public interest, constitutes an improvement to the Land Development Code of

the Village of Orland Park, and is in keeping with the spirit and in furtherance of the purpose of the Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

SECTION 2

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in their entirety the definitions of "Animal Services," "Domestic Pet Services," "Medical Office," "Motor Vehicle Services," "Office" and "Personal Service Establishment" in Section 2-102 and substitute the following as new text for the definitions of "Animal Services," "Domestic Pet Services," "Medical Office," "Motor Vehicle Services," "Office" and "Personal Service Establishment" in Section 2-102:

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

1. Any premises where more than three domestic animals over one year of age are kept.
2. Any premises where one 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 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 300 feet from any residential zoning district, measured from the closest run or kennel to the nearest residential property line.
6. Pet Shops.
7. Animal Boarding.

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 hours, see the Personal Service Establishment definition.

Domestic Pet Services means any business or establishment providing services to animals for a time period not to exceed four hours. Services may include grooming, training and short term veterinarian care. See Personal Service Establishments.

Medical Office means any building or portion thereof, the principal use of which is for offices of one or more licensed physicians, ophthalmologists, dentists, psychologists, physical, occupation

and recreational therapists or the like for the examination and treatment of persons on an out-patient basis only. See Office definition.

Motor Vehicle Services means any building, structure, or lot used for one (1) or more of the following:

1. Dispensing, selling or offering for retail sale, gasoline, kerosene, lubricating oil, or grease for the operation and maintenance of motor vehicles.
2. The business of maintaining motor vehicles including lubrication, tire and battery installation.
3. The business of repairing motor vehicles including minor and major repairs, auto body work, welding and painting.
4. Car washes, both automatic and self service.
5. Marine equipment sales, service or rental.

Such establishment shall not include facilities only selling or offering for retail sale, automotive parts or accessories provided that such establishment does not provide any service repair or installation. In addition to meeting Village Code requirements including Title 6 Chapter 2 Nuisances and Title 6 Chapter 4 Noise Control, Motor Vehicle Services abide by the following performance standards:

1. All work is conducted indoors.
2. Garage doors facing residential areas remain closed at all times except for the exchange of vehicles.
3. Vehicles parked more than five (5) business days are considered outdoor storage.

Office means a use or building where business is conducted which does not primarily involve the sale or transfer of goods by the business to the customer at that location. This includes, but is not limited to, general business offices, government offices, insurance offices, medical offices, mortgage offices, credit unions, law offices and real estate sales and management offices.

Personal Service Establishment means an establishment primarily engaged in providing services involving the care of a person or his/her apparel, such as laundry cleaning and garment services, garment pressing, linen supply, diaper service, coin-operated laundries, dry cleaning plants, carpet and upholstery cleaning, photographic studios, beauty shops, tanning salons, barber shops, shoe repairs, day spas, hat cleaning, funeral services (except funeral parlors and crematoria), reducing salons, travel agencies, postal agencies, domestic pet services and clothing rental. Personal service establishments are required to have appropriate licensure as regulated by the State of Illinois.

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 Paragraph A, "Purpose and Authority," of Section 5-106 and substitute the following as new text for Paragraph A of Section 5-106:

A. Purpose and Authority. An Appearance Review is required for minor exterior site and building changes for all existing development, and for all restaurants that are not a special use, except single family residential and multifamily of fewer than six (6) units. Appearance Review is not required for routine property maintenance, replacement of materials with like materials, and proposals that do not visibly change the appearance of the property or for restaurants occupying an existing or vacant former restaurant space and proposing no exterior changes. If the Development Services Department finds that the proposal significantly alters the design and intent of the approved plan, full site plan review is required. The purpose of appearance review is to ensure that the appearance of new development within the Village is consistent with the community character of the area within which the development is located. The Development Services Department is authorized to conduct and approve appearance reviews. The Appearance Review process in this Section 5-106 does not apply to property in the OOH Zoning District. See Section 6-209 for applicable regulations for the OOH Zoning District.

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 6 of Paragraph B, "Permitted Uses," of Section 6-204 and substitute the following as new text for Subsection 6 of Paragraph B of Section 6-204:

6. Small residential-care homes with 1-5 residents, provided that:
 - a. The use is licensed by the applicable State agency; and
 - b. The home is located no closer than 450 feet to any other residential-care home or congregate elderly housing facility.

SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to insert the following as a new Subsection 2 in Paragraph C, "Special Uses," of Section 6-204, to delete in its entirety the text of Subsection 7 of Paragraph C, and to renumber the other Subsections accordingly:

2. Congregate Elderly Housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility or residential care home.

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 Subsections 5 and 6 of Paragraph C, "Special Uses," of Section 6-204 and substitute the following as new text for Subsections 5 and 6 of Paragraph C of Section 6-204:

5. Large residential-care homes (over 8 residents), provided that:
 - a. The use is licensed by the applicable State agency; and
 - b. The home is located no closer than 1,000 feet to any other residential-care home or congregate elderly housing facility.
6. Medium-sized residential-care homes with 6, 7 or 8 residents, provided that:
 - a. The use is licensed by the applicable State agency; and
 - b. The home is located no closer than 660 feet to any other residential-care home or congregate elderly housing facility.

SECTION 7

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

6. Small residential-care homes with 1-5 residents provided that:
 - a. the use is licensed by the applicable State agency; and
 - b. The home is located no closer than 450 feet to any other residential-care home or congregate elderly housing facility.

SECTION 8

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to insert the following as a new Subsection 2 in Paragraph C, "Special Uses," of Section 6-204.5, to delete in its entirety the text of Subsection 7 of Paragraph C, and to renumber the other Subsections accordingly:

2. Congregate Elderly Housing, provided that the use is located no closer than 1,000 feet to any other congregate elderly housing facility or residential care home.

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 Subsections 5 and 6 of Paragraph C, "Special Uses," of Section 6-204.5 and substitute the following as new text for Subsections 5 and 6 of Paragraph C of Section 6-204.5:

5. Large residential-care homes (over 8 residents), provided that:
 - a. The use is licensed by the applicable State agency; and
 - b. The home is located no closer than 1,000 feet to any other residential-care home or congregate elderly housing facility.
6. Medium-sized residential-care homes with 6, 7 or 8 residents, provided that:
 - a. The use is licensed by the applicable State agency; and
 - b. The home is located no closer than 660 feet to any other residential-care home or congregate elderly housing facility.

SECTION 10

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Section 6-205 and to substitute the text set forth on the attached Exhibit A as the new text of Section 6-205.

SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Section 6-206 and to substitute the text set forth on the attached Exhibit B as the new text of Section 6-206.

SECTION 12

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Subsection 21 of Paragraph B, "Permitted Uses," and Subsections 2, 6, and 12 of Paragraph C, "Special Uses," of Section 6-207 and to substitute the text set forth on the attached Exhibit C as the new text of subsection 21 of Paragraph B and Subsections 2, 6 and 12 of Paragraph C of Section 6-207.

SECTION 13

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 27 of Paragraph C, "Special Uses," of Section 6-207 and to renumber the other Subsections accordingly.

SECTION 14

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2 of Paragraph B, "Permitted Uses," of Section 6-208 and to renumber the other Subsections accordingly.

SECTION 15

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Subsection 10 of Paragraph B, "Permitted Uses," and Subsection 1 of Paragraph C, "Special Uses," of Section 6-208 and to substitute the text set forth on the attached Exhibit C as the new text of subsection 10 of Paragraph B and Subsection 1 of Paragraph C of Section 6-208.

SECTION 16

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 8 of Paragraph C, "Special Uses," of Section 6-208 and to renumber the other Subsections accordingly.

SECTION 17

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Subsection 16 of Paragraph B, "Permitted Uses," and Subsections 1, 7 and 11 of Paragraph C, "Special Uses," of Section 6-210 and to substitute the text set forth on the attached Exhibit C as the new text of Subsection 16 of Paragraph B and Subsections 1, 7 and 11 of Paragraph C of Section 6-210.

SECTION 18

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsections 2 and 14 of Paragraph C, "Special Uses," of Section 6-210 and to renumber the other Subsections accordingly.

SECTION 19

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to insert the following as a new Subsection 13 in Paragraph C, "Special Uses," of Section 6-210, in alphabetical order, and to renumber the other Subsections accordingly:

13. Motor Vehicle Services

SECTION 20

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Subsection 17 of Paragraph B, "Permitted Uses," and Subsections

1, 2 and 3 of Paragraph C, “Special Uses,” of Section 6-211 and to substitute the text set forth on the attached Exhibit C as the new text of Subsection 17 of Paragraph B and Subsection 1 of Paragraph C of Section 6-210 and to renumber the other Subsections accordingly.

SECTION 21

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to insert the following as a new Subsection 6 in Paragraph C, “Special Uses,” of Section 6-211, in alphabetical order, and to renumber the other Subsections accordingly:

6. Motor Vehicle Services

SECTION 22

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text regarding “Congregate Elderly Housing” in Row 3 and “Animal Hospitals and Boarding,” “Automobile repair with outdoor storage up to 10 vehicles,” “Automobile sales and rentals, service stations, car washes,” and “Funeral Parlors without Crematoria” in Table 6-212.C.1 and to substitute the text set forth on the attached Exhibit C as the new text in Table 6-212.C.1, “Allowable Uses in the Village Center District.”

SECTION 23

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text regarding “Nursing homes (minimum spacing 1,000 feet)” from Table 6-212.C.1.

SECTION 24

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Subsection 4, “Land Use Intensity” of Paragraph D, “Bulk Requirements” of Section 6-212 and to substitute the text set forth on the attached Exhibit C as the new text of Subsection 4 of Paragraph D of Section 6-212.

SECTION 25

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 3 of Paragraph M, “Prohibited Signs,” and Subsection 1 of Paragraph P, “Signs Permitted in Commercial/Office Districts – Sign District #2,” of Section 6-307 and to substitute the text set forth on the attached Exhibit C as the new text of Subsection 3 of Paragraph M and Subsection 1 of Paragraph P of Section 6-307.

SECTION 26

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

SECTION 27

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

SECTION 28

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.