



VILLAGE OF ORLAND PARK

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

Meeting Agenda

Committee of the Whole

Village President Keith Pekau

Village Clerk Patrick R. O'Sullivan

*Trustees, William R. Healy, Cynthia Nelson Katsenes, Michael R. Milani,
Sean Kampas, Brian Riordan and Joni Radaszewski*

Monday, December 18, 2023

6:00 PM

Village Hall

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES

[2023-0981](#) Approval of the December 4, 2023, Committee of the Whole Minutes

Attachments: [Draft Minutes](#)

D. ITEMS FOR SEPARATE ACTION

1. [2023-0941](#) A Resolution Authorizing the Execution of an Intergovernmental Agreement with the Village of Orland Hills Providing for Police Dispatching and Prisoner Detention Services - Resolution

Attachments: [IGA - Orland Hills Dispatching Resolution](#)

2. [2023-0989](#) An Ordinance Amending Title 7, Section 7-20-2 of The Village of Orland Park Municipal Code (Payment of Paid Sick Leave)

Attachments: [Ordinance](#)

3. [2023-0855](#) Land Development Code - Substantive Amendment: Change Public Hearing Notice Mailing Requirements

Attachments: [Staff Report to the COTW](#)
[Amendment Report to the Committee of the Whole](#)

4. [2023-0856](#) Land Development Code - Substantive Amendment: Remove Net Buildable Acres From Density Requirement

Attachments: [Staff Report to the COTW](#)
[Amendment Report to the Committee of the Whole](#)

5. [2023-0857](#) Land Development Code - Substantive Amendment: Change Solar Panel Review Process

 Attachments: [Staff Report to the COTW](#)
 [Amendment Report to the Committee of the Whole](#)

6. [2023-0858](#) Land Development Code - Substantive Amendment: Car Dealership Parking and Storage

 Attachments: [Staff Report to the COTW](#)
 [Amendment Report to the Committee of the Whole](#)

7. [2023-0859](#) Land Development Code - Technical Amendment: Loading Spaces

 Attachments: [Staff Report to the COTW](#)
 [Amendment Report to the Committee of the Whole](#)

8. [2023-0896](#) Land Development Code - Substantive Amendment: Modify Entitlements Review Process

 Attachments: [Amendment Report to the Committee of the Whole](#)
 [Staff Report to the COTW](#)

9. [2023-0897](#) Land Development Code - Substantive Amendment: Modify Residential Best Management Practices (BMPs)

 Attachments: [Amendment Report to the Committee of the Whole](#)
 [Staff Report to the COTW](#)

10. [2023-0898](#) Land Development Code & Village Code - Substantive Amendment: Clarify Driveways and Driveway Apron Regulations

 Attachments: [Amendment Report to the Committee of the Whole](#)
 [Staff Report to the COTW](#)

11. [2023-0899](#) Land Development Code - Substantive Amendment: Adding New Permitted Use to the Open Space District

 Attachments: [Staff Report to the COTW](#)
 [Amendment Report to the Committee of the Whole](#)

12. [2023-0979](#) Schussler Park All-Inclusive Playground Concept

 Attachments: [Schussler All-Inclusive Playground 11.14.23](#)
 [Schussler All-Inclusive Playground 12.5.23](#)
 [Cost-Schussler All-Inclusive-20231128 CONCEPT-Playground](#)

13. [2023-0990](#) Strategic Alternatives

 Attachments: [Strategic Alternatives Memo 23-1211](#)

E. NON-SCHEDULED CITIZENS & VISITORS

F. ADJOURNMENT

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number: **2023-0981**
Orig. Department: **Village Clerk**
File Name: **Approval of the December 4, 2023, Committee of the Whole Minutes**

BACKGROUND:

BUDGET IMPACT:

REQUESTED ACTION:

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of December 4, 2023.

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, December 4, 2023

6:00 PM

Village Hall

Committee of the Whole

*Village President Keith Pekau
Village Clerk Patrick R. O'Sullivan
Trustees, William R. Healy, Cynthia Nelson Katsenes, Michael R. Milani,
Sean Kampas, Brian Riordan and Joni Radaszewski*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:06 P.M.

Present: 6 - President Pekau; Trustee Healy; Trustee Nelson Katsenes; Trustee Milani; Trustee Kampas and Trustee Riordan

Absent: 1 - Trustee Radaszewski

APPROVAL OF MINUTES

2023-0928 Approval of the November 20, 2023, Committee of the Whole Minutes

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of November 20, 2023.

A motion was made by Trustee Nelson Katsenes, seconded by Trustee Milani, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, Trustee Kampas, and Trustee Riordan

Nay: 0

Absent: 1 - Trustee Radaszewski

ITEMS FOR SEPARATE ACTION

2023-0925 2023 Sponsor Acknowledgement

Throughout 2023, the Village received over 400 sponsorships in support of Village special events, facilities and programs.

The Village is sincerely appreciative and recognizes the support of all contributions, large or small. The generosity of businesses and organizations enables the Village to produce high-quality special events and programs which directly enhance the lives of Orland Park residents.

On this day, it is with sincere gratitude, the Village thanks and recognizes all the businesses and organizations for their generous support.

Those that have contributed \$500 or more in 2023 include:

- Waste Management: \$50,000 - Platinum Level Sponsor
- Mazda of Orland Park: \$30,000 - BrewFest Presenting Sponsor, Police Vests and Summer Day Camp shirts
- Northwestern Medicine: \$30,000 - Taste of Orland Park Presenting Sponsor
- Comcast Xfinity: \$23,000 - Independence Day Presenting Sponsor
- UChicago Medicine: \$15,000 - Platinum Level Sponsor; Program Guide

- Christopher B. Burke Engineering Ltd: \$10,000 - Platinum Level Sponsor
- Dave & Buster's Orland Park: \$10,000 - Platinum Level Sponsor
- NWIBaths.com: \$10,000 - Platinum Level Sponsor
- Rizzacars.com: \$10,000 - Centennial Park West Presenting Sponsor, Turkey Trot Presenting Sponsor
- Edwards Realty Company: \$6,000 - Veterans Golf Classic, Program Guide
- Central Credit Union of Illinois: \$3,000 - Cinderella Ball, Lucky Egg Hunt, North Pole Express
- Renewal by Andersen: \$3,800 - Market at the Park, Taste of Orland Park
- TR Miller Heating, Cooling & Plumbing: \$3,500 - Great Pumpkin Party Presenting Sponsor, Holiday Festival
- Brannigan Chiropractic Center: \$2,750 - Market at the Park, Taste of Orland Park
- EcoClean Can: \$2,400 - Ballfield Banner, Taste of Orland Park, Program Guide
- V3 Companies: \$2,000 Taste of Orland Park, BrewFest
- Vrdolyak Law Group: \$2,000 - Taste of Orland Park, Veterans Golf Classic
- OYA Baseball: \$1,900 - Ballfield and Sportsplex Banners
- Aligned Modern Health: \$1,750 - Veterans Golf Classic, Market at the Park
- Polish & Slavic Federal Credit Union of Orland Park: \$1,500 - Taste of Orland Park
- Apple Chevrolet \$1,500 - Veterans Golf Classic
- Premium Suburban Medical Group/Silver Cross Hospital: \$1,500 - Taste of Orland Park
- Bath Planet: \$1,500 - Taste of Orland Park
- Better Homes and Gardens Real Estate: \$1,500 - Sportsplex Banner
- Blades & Co Barber Shoppe: \$1,500 - Sportsplex, Taste of Orland Park, Veterans Golf Classic
- Colonial Chapel Funeral Home & Crematory: \$1,500 - Veterans Golf Classic
- ComEd: \$1,500 - Christmas Parade, Tree Lighting, Holiday Festival
- Dr. Thomas Moss, DDS: \$1,500 - Veterans Golf Classic
- Joey's Red Hots \$1,000 - Veterans Golf Classic
- Law Offices of Daniel Calandriello: \$1,500 - Children's New Year's Eve
- Marquette Bank: \$1,500 - Veterans Golf Classic
- Mayor Keith Pekau: \$1,000 - Centennial Park West Concert
- McDonald's of Orland Park on LaGrange Road: \$1,500 - Taste of Orland Park
- Chiro One Wellness Centers: \$1,425 - Market at the Park
- Bank Financial Downers Grove: \$1,050 - Veterans Golf Classic, Outdoor Movie Series
- Schofield Family Foundation: \$1,000 - Veterans Golf Classic
- Skyhawks Sports Academy: \$1,000 - Sportsplex Banner
- NuMark Credit Union: \$1,000 - Veterans Golf Classic
- SPACECO, Inc.: \$1,000 - Independence Day/Liberty Run, Taste of Orland Park
- Victory Realty, Inc.: \$1,000 - Sportsplex Banner
- United Gymnastics Academy: \$900 - Sportsplex Banner

- Smith Crossing: \$750 - Taste of Orland Park
 - The Human Race Sports: \$650 - Market in the Park, Turkey Trot
 - Fatburger: \$625 Turkey Trot, Christmas Parade, Tree Lighting, Holiday Festival
 - Eric Wood: \$600 Centennial Park Aquatic Center Banner
 - Precision Today: \$600 Centennial Park Aquatic Center Banner
 - Comparion Insurance Agency: \$550 - Outdoor Movie Series
 - Tesla of Orland Park: \$550 - Outdoor Movie Series
 - All Seasons Pools & Spas, Inc.: \$550 - Centennial Park Ballfield Banner
 - American Legion Orland Memorial Post 111: \$500 - Veterans Golf Classic
 - Orland-Palos Reber-Tesmond Memorial Post #2604: \$500 - Veterans Golf Classic
- Classic
- Paragon Physiotherapy and Wellness: \$500 - Independence Day/Liberty Run
 - Paul McNaughton: \$500 - Veterans Golf Classic
 - Automatic Building Controls, LLC: \$500 - Veterans Golf Classic
 - Bettenhausen Automotive: \$500 - Veterans Golf Classic
 - Klein, Thorpe and Jenkins, Ltd.: \$500 - Veterans Golf Classic
 - Grand Appliance & TV: \$500 - Veterans Golf Classic
 - Blooming Facility, LLC: \$500 - Independence Day/Liberty Run
 - Stan's Roofing & Siding: \$500 - Veterans Golf Classic
 - Tom and Therese Dubelbeis: \$500 - Veterans Golf Classic
 - Birk Plumbing Inc.: \$500 - Veterans Golf Classic
 - Veterans Voices Military Group: \$500 - Veterans Golf Classic
 - MEADE: \$500 - Turkey Trot

President Pekau had comments. (refer to audio)

No Action

This item was a presentation. NO ACTION was required.

ADJOURNMENT: 6:20 P.M.

A motion was made by Trustee Milani, seconded by Trustee Kampas, that this matter be ADJOURNMENT. The motion carried by the following vote:

Aye: 6 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, Trustee Kampas, and Trustee Riordan

Nay: 0

Absent: 1 - Trustee Radaszewski

2023-0980 Audio Recording for the December 4, 2023 Committee of the Whole Meeting

NO ACTION

/AS

APPROVED:

Respectfully Submitted,

Patrick R. O'Sullivan, Village Clerk

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number:	2023-0941
Orig. Department:	Police Department
File Name:	A Resolution Authorizing the Execution of an Intergovernmental Agreement with the Village of Orland Hills Providing for Police Dispatching and Prisoner Detention Services - Resolution

BACKGROUND:

The Village of Orland Park has been providing dispatch and detention services for the Village of Orland Hills for over thirty years. The Village has found this very beneficial for many reasons but most importantly for the cooperation between our two police departments leading to more effective and efficient law enforcement services for both communities.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

Anticipated revenue is as follows:

January 1, 2024 to December 31, 2024-total \$251,304.00 (12 monthly payments of \$20,942.00) plus Orland Hills share of 911 Funds-Estimated to be \$378,000 for an estimated 7,000 phone lines.

January 1, 2025 to December 31, 2025-total \$258,843.12 (12 monthly payments of \$21,570.26) plus Orland Hills share of 911 Funds-Estimated to be \$378,000 for an estimated 7,000 phone lines.

January 1, 2026 to December 31, 2026-total \$266,608.41 (12 monthly payments of \$22,217.36) plus Orland Hills share of 911 Funds-Estimated to be \$378,000 for an estimated 7,000 phone lines.

January 1, 2027 to September 30, 2027-total \$205,954.92 (9 monthly payments of \$22,883.88) plus Orland Hills share of 911 Funds-Estimated to be \$283,500 for an estimated 7,000 phone lines.

REQUESTED ACTION:

I move to recommend adopting a Resolution entitled: A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE VILLAGE OF ORLAND HILLS PROVIDING FOR POLICE DISPATCHING AND PRISONER DETENTION SERVICES.

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF ORLAND
PARK AND THE VILLAGE OF ORLAND HILLS PROVIDING FOR POLICE
DISPATCHING AND PRISONER DETENTION SERVICES**

WHEREAS, the VILLAGE OF ORLAND PARK, Cook and Will Counties, Illinois, an Illinois home rule municipal corporation, and the VILLAGE OF ORLAND HILLS, Cook County, Illinois, an Illinois municipal corporation, have each determined that it is mutually beneficial to both municipalities that centralized police dispatching and prisoner detention services as previously established be continued for an additional four (4) years under the following described terms and conditions; and

WHEREAS, centralized police dispatching and prisoner detention services as herein established can efficiently and economically serve the needs of both Villages; and

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois of 1970 authorizes units of local government, including municipalities, to contract to exercise, combine, or transfer any power or function not prohibited to them by law or ordinance; and

WHEREAS, the Illinois Intergovernmental Cooperation Act, (Illinois Compiled Statutes, Chapter 5, Section 220/1 et seq.), authorizes municipalities to exercise jointly with any public agency of the State, including other units of local government, any power, privilege, or authority which may be exercised by a unit of local government individually, and to enter into contracts for the performance of governmental services, activities, and undertakings;

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, INCLUDING THE COVENANTS AND AGREEMENTS HEREIN SET FORTH, IT IS HEREBY AGREED by and between the VILLAGE OF ORLAND PARK and the VILLAGE OF ORLAND HILLS as follows:

The above Preambles shall be incorporated in and constitute a part of this Agreement.

1. This Agreement shall be for a term commencing on October 1, 2023, and extending through September 30, 2027, unless sooner terminated as hereinafter provided.

2. The VILLAGE OF ORLAND PARK (hereinafter "ORLAND PARK") shall provide police dispatching and prisoner detention services for the VILLAGE OF ORLAND HILLS (hereinafter "ORLAND HILLS") under the following terms and conditions:

(1) On a twenty-four hour a day basis for each and every day of this Agreement,

ORLAND PARK shall:

- (a) Provide police dispatching services for the ORLAND HILLS Police Department;
- (b) Answer one (1) ORLAND HILLS Police Private line for the walk-up telephone located at the ORLAND HILLS Police Department;
- (c) Make available a prisoner detention facility within the ORLAND PARK Police Department; and
- (d) Make available a police Matron to facilitate detention of females by ORLAND HILLS Police Department within the ORLAND PARK Police Department detention facility.
- (e) Once per month (on the first Tuesday of every month unless mutually agreed otherwise between the parties) a representative of the ORLAND PARK Police Department (the Chief or his/her designee) shall meet with a representative of the ORLAND HILLS Police Department (the Chief or his/her designee) to discuss issues arising out of or in connection with this Agreement.

- (2) In addition, ORLAND PARK shall supply entry and forwarding of L.E.A.D.S. data, excluding Uniform Crime Reporting.
- (3) In consideration of the foregoing, ORLAND HILLS shall:
- (a) Continue to transfer its total monthly 911 telephone surcharge to ORLAND PARK;
 - (b) Pay ORLAND PARK for said services in the following manner:
 - (i) For each twelve (12) month period commencing January 2024 and extending through the term of this agreement, the sum of \$251,304.00("sum") in twelve (12) equal monthly payments of \$20,942.00, plus ORLAND HILLS' share of 911 funds. Each year thereafter, the sum will increase by 3%
 - (c) Furnish at its cost all telephonic charges required to implement and maintain the services under this Agreement.
 - (d) Supply at its cost all other equipment necessary to cause the aforesaid circuit to be compatible with ORLAND PARK'S existing dispatching equipment.
 - (e) Pay monthly billings for the aforementioned telephone circuits which shall be billed directly to ORLAND HILLS.
 - (f) At its cost, cause its officers to participate in training classes and require its officers to comply with all ORLAND PARK Dispatch Procedures and Rules and Regulations concerning the operation of the ORLAND PARK Police Department.
 - (g) Require that all prisoners lodged by its officers in the ORLAND PARK Police Department detention facility be processed by ORLAND HILLS

Officers in compliance with all standards established by the Illinois Department of Corrections and ORLAND PARK Police Department's General and Special Orders.

- (h) Secure and maintain the appropriate approvals from the F.C.C. and shall list ORLAND PARK as the dispatching location.
- (i) Obtain and maintain any and all other approvals from any law enforcement jurisdiction or agencies, public or private, which may be necessary for the performance of this Agreement.
- (j) Once per month (on the first Tuesday of every month unless mutually agreed otherwise between the parties) a representative of the ORLAND HILLS Police Department (the Chief or his/her designee) shall meet with a representative of the ORLAND PARK Police Department (the Chief or his/her designee) to discuss issues arising out of or in connection with this Agreement.

3. This Agreement may be amended or changed only by the mutual written agreement of the parties hereto.

4. This Agreement shall continue in effect for the specified term ending at midnight, September 30, 2027, provided, however, that either party to this Agreement may terminate this Agreement upon ninety (90) days' prior written notice to the other party by Certified Mail, return receipt requested. The 90-day period may be extended by mutual written agreement of the parties. Service shall be considered as having occurred upon the notice's deposit with the United States Postal Service, proper postage prepaid. Said notice shall be served at the following addresses:

For notice to ORLAND PARK:

Village Manager
Village of Orland Park
14700 Ravinia Avenue
Orland Park, Illinois 60462

For notice to ORLAND HILLS:

Village Administrator
Village of Orland Hills
16033 South 94th Avenue
Orland Hills, Illinois 60477-4623

5. This Agreement may be extended only by the mutual written Agreement of the parties hereto.

6. ORLAND PARK agrees to use its best effort to transmit messages to ORLAND HILLS, but shall not be responsible for failure to transmit said messages due to damage to its equipment caused by acts of sabotage, vandalism or natural disaster or because demand for its services due to emergency calls related to other governmental agencies. ORLAND HILLS recognizes and acknowledges that said ORLAND PARK Communications Center will be performing the same or similar services as herein described for ORLAND PARK and for other governmental agencies and ORLAND PARK alone will make the determination as to priority of emergency matters. However, the determination of the priority of emergency matters shall not be done in an arbitrary or capricious manner.

7. A. ORLAND HILLS hereby agrees at its sole cost and expense, to unconditionally indemnify, defend, and hold ORLAND PARK and/or its trustees, officers, employees and agents (whether sued in their official or individual capacity) harmless against any loss, liability, damage (whether direct or consequential), expenses, claims, penalties, fines, injunctions, suits, proceedings, disbursements

or expenses, including, without limitation, attorneys' and experts' fees and disbursements and court costs (collectively, the "Liabilities"), in any way arising out of or in consequence of this Agreement, or any other Liabilities which may be incurred by or asserted against ORLAND PARK and/or its trustees, officers, employees and agents directly or indirectly resulting from ORLAND HILLS' presence on or use of ORLAND PARK'S property, equipment and facilities and/or the services to be provided by ORLAND PARK as set forth in Paragraph 3 above.

ORLAND HILLS shall assume the expense of defending all suits, claims, administrative proceedings and disputes of any description and kind with all persons, entities, political subdivisions or government agencies arising out of the matters to be indemnified under this Agreement. In the event that ORLAND PARK and/or its trustees, officers, employees and/or agents are named as (a) defendant(s) in any lawsuit, proceeding or claim arising out of the matters to be indemnified under this Agreement, and to the extent that insurance company(ies) for ORLAND HILLS (on whose policies ORLAND PARK will be named as additional insured as set forth in subparagraph 8C below) does not provide ORLAND PARK and/or its trustees, officers, employees and/or agents with a complete defense to all the claims made or Counts asserted, or if the insurance company(ies) defend(s) ORLAND PARK and/or its trustees, officers, employees and/or agents under a reservation of rights or otherwise places a limitation on its coverage for ORLAND PARK and/or its trustees, officers, employees and/or agents, or if a claim is made for more than the policy limits, then ORLAND

PARK and/or its trustees, officers, employees and/or agents shall also have the right to participate in the defense of the lawsuit, proceeding or claim and shall have the right to choose the attorney(s) who represent(s) them in said lawsuit, and the costs, expenses and fees associated with said attorney(s) in relation to said lawsuit shall be paid by ORLAND HILLS pursuant to the indemnification provisions herein. ORLAND HILLS shall pay, promptly upon entry, any nonappealable order, judgment or other final resolution of any claim or dispute arising out of the matters to be indemnified under this Agreement and shall pay promptly when due any fines, penalties or agreed settlements arising out of the matters to be indemnified under this Agreement. In the event that such payment is not made, ORLAND PARK, at its sole discretion, may proceed to file suit against ORLAND HILLS to compel such payment. ORLAND HILLS also agrees that it will not settle or compromise such action, suit or proceeding without ORLAND PARK's prior written consent, which consent shall not be unreasonably withheld.

The obligations of ORLAND HILLS under this Paragraph 8 shall remain in full force and shall not be impaired by the expiration or termination of this Agreement. In any pending or threatened litigation, contest, dispute, suit or proceeding (whether instituted by either Village) in any way relating to this Agreement and the indemnification described herein, or to enforce the indemnification described herein, or to enforce the indemnification or obligations hereunder, ORLAND PARK shall have the right to retain counsel of its own choice for advice or other representation without affecting or otherwise impairing

the indemnification hereunder and all Liabilities arising from such service shall be payable by ORLAND HILLS within 30 days of demand.

Notwithstanding the foregoing, nothing in this paragraph or Agreement should be construed as an effort on or by ORLAND PARK and/or its trustees, officers, employees and/or agents to be indemnified for liability to the extent not permitted by law.

- B. ORLAND HILLS agrees to waive all claims against ORLAND PARK and/or its trustees, officers, employees and/or agents, for any loss, damage, injury or occurrence in any way arising out of or in consequence of this Agreement, including but not limited to any claim for Contributions under 740 ILCS 100/0.01, et seq.
- C. ORLAND HILLS, at its cost, shall provide and maintain during the term hereof general liability insurance, personal injury and property damage insurance in the amount of not less than ONE MILLION (\$1,000,000) DOLLARS with insurance companies acceptable to ORLAND PARK. Certificates evidencing such insurance shall be deposited with ORLAND PARK. Also, ORLAND PARK and/or its trustees, officers, employees and/or agents shall be named as additional insureds on all of ORLAND HILLS' insurance policies, basic and umbrella, covering potential risks and Liabilities arising from this Agreement even though said policies may exceed the ONE MILLION (\$1,000,000) DOLLAR minimum coverage required above. It is not the intent of this requirement that ORLAND HILLS obtain insurance in excess of ONE MILLION (\$1,000,000) DOLLARS, but it is the intent to provide ORLAND PARK and/or its trustees, officers,

employees and/or agents with the excess coverage in the event ORLAND HILLS has the excess coverage. ORLAND PARK shall be provided with a Certificate(s) of Insurance indicating the foregoing coverages, including any umbrella coverage when applicable.

D. ORLAND HILLS promises to hold ORLAND PARK and/or its trustees, officers, employees and/or agents, harmless on account of any loss, claim, liability or damages, including attorneys' fees, that may allegedly occur as a result of the death or bodily injury to persons or damaged property during the performance or resulting from the performance of this Agreement; and ORLAND HILLS assumes all liability for damages to persons or property due to accidents or otherwise by reason of the obligations undertaken by ORLAND PARK under this Agreement.

IN WITNESS WHEREOF, the parties hereto, pursuant to the authority vested in each municipal corporation according to law and pursuant to duly enacted ordinances or resolutions of their corporate authorities respectively, have hereunto caused this Agreement to be signed by its duly authorized officers and the corporate seals to be properly affixed thereto.

DATED this ____ day of _____, 2023.

VILLAGE OF ORLAND PARK

By: _____
Village President or Designee

ATTEST:

Village Clerk

VILLAGE OF ORLAND HILLS

By: _____
Village President or Designee

ATTEST:

Village Clerk

..Title

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE VILLAGE OF ORLAND HILLS PROVIDING FOR POLICE DISPATCHING AND PRISONER DETENTION SERVICES

.. Body

WHEREAS, the President and Board of Trustees of the Village of Orland Park, along with the President and Board of Trustees of the Village of Orland Hills, believe that it would be in the best interests of both Villages to enter into an Intergovernmental Agreement providing for the continuation of centralized police dispatching and prisoner detention services for the term October 1, 2023, through September 30, 2027.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The Village President and Village Clerk are hereby authorized and directed to execute, on behalf of the Village, INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF ORLAND PARK AND THE VILLAGE OF ORLAND HILLS PROVIDING FOR POLICE DISPATCHING AND PRISONER DETENTION SERVICES, in a form substantially as that attached to this Resolution as Exhibit A, and to take such further action as is necessary to fulfill the terms of said Agreement.

SECTION 2

This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number: **2023-0989**
Orig. Department: **Village Manager**
File Name: **An Ordinance Amending Title 7, Section 7-20-2 of The Village of Orland Park Municipal Code (Payment of Paid Sick Leave)**

BACKGROUND:

On March 13, 2023, Governor J.B. Pritzker signed into law Public Act 102-1143, titled the Paid Leave for All Workers Act, establishing “a minimum paid leave standard for all workers in Illinois. The Act takes effect on January 1, 2024, and applies to State and local government employers within Illinois, except school districts and park districts. The Act also applies to private sector employers who are not covered by a municipal or county ordinance that requires some form of paid leave. The mandatory paid leave standard required by the Act constitutes an unfunded mandate on the Village pursuant to the State Mandates Act, 30 ILCS 805/1.

The Village of Orland Park is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs. The Act does not expressly preempt the exercise of home rule powers under Article VII, Section 6 of the Illinois Constitution of 1970, nor does it contain specific language limiting or denying the power or function of a home rule unit pursuant to Section 7 of the Statute on Statutes, 5 ILCS 70/7.

The General Assembly incorporated language into Section 15(p) of the Act, 820 ILCS 192/15(p), which expressly provides that “[t]he provisions of this Act shall not apply to any employer that is covered by a municipal or county ordinance that is in effect on the effective date of this Act that requires employers to give any form of paid leave to their employees, including paid sick leave or paid leave. Section 15(n) of the Act further provides that “[n]othing in this Act shall be deemed to affect the validity or change the terms of bona fide collective bargaining agreements in effect on January 1, 2024. After that date, requirements of this Act may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms.

On November 20, 2023, the Board of Trustees adopted an ordinance approving paid leave provisions for Village employees. That ordinance governs and supersedes all provisions of the Act that impact the employment relationship between the Village of Orland Park and its employees.

For the benefit of all Orland Park employers other than the Village itself, an ordinance has been prepared to amend Section 7-20-2 of the Village Code to provide a uniform paid leave requirement for employers within the Village. By requiring employers to provide some form of paid leave to their employees, this ordinance is intended to satisfy the necessary requirement for rendering the Act inapplicable to employers within the Village.

The proposed ordinance requires employers within the Village to provide a minimum of five (5) days of paid leave to their Full Time Employees during a 12-month period as specified by the employer. A Full Time Employee is defined as an employee who has worked for a minimum period of one year and who is regularly scheduled to work a minimum of 1,600 hours per year. The proposed ordinance does not hinder

any employer from providing a greater amount of paid leave, or from complying with the Act if they elect to do so. Also, it does not apply to any unit of government within the corporate boundaries of Orland Park.

BUDGET IMPACT:

There is no financial impact on the Village.

REQUESTED ACTION:

I move to recommend adopting an Ordinance entitled: AN ORDINANCE AMENDING TITLE 7, SECTION 7-20-2 OF THE VILLAGE OF ORLAND PARK MUNICIPAL CODE (PAYMENT OF PAID SICK LEAVE).

AN ORDINANCE AMENDING TITLE 7, SECTION 7-20-2 OF THE VILLAGE OF ORLAND PARK MUNICIPAL CODE (PAYMENT OF PAID SICK LEAVE)

. . B

WHEREAS, the Village of Orland Park, Illinois (the "Village") is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to Article VII, Section 6(i) of the Illinois Constitution of 1970, home rule units may exercise and perform concurrently with the State any power or function of a home rule unit to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive; and

WHEREAS, Article VII, Section 6(c) of the Illinois Constitution provides that if "a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction;" and

WHEREAS, on October 5, 2016, the Cook County Board of Commissioners adopted Ordinance 16-5768, entitled "An Ordinance Establishing Earned Sick Leave For Employees In Cook County," that requires private employers in Cook County to provide a minimum number of paid sick days to employees; and

WHEREAS, the Village found that Cook County Ordinance 16-5768 placed an undue and unequal burden on employers within the Village and, in response, on June 5, 2017, pursuant to its authority under Article VII, Section 6(c) of the Illinois Constitution of 1970, adopted Ordinance No. 5193, enacting Section 7-20-2 of the Village of Orland Park Municipal Code (hereinafter, the "Village Code"), to clearly define the sick leave regulations that apply to employers located in the Village as being those set forth in State and federal law; and

WHEREAS, on March 13, 2023, Governor J.B. Pritzker signed into law Public Act 102-1143, titled the Paid Leave for All Workers Act (the "Act"), establishing "a minimum paid leave standard for all workers in Illinois," with certain exceptions; and

WHEREAS, the Act takes effect on January 1, 2024, and applies to employers within Illinois, including State and local governments, with certain limited exceptions; and

WHEREAS, the mandatory paid leave standard required by the Act constitutes an unfunded mandate on the Village pursuant to the State Mandates Act, 30 ILCS 805/1, et seq.; and

WHEREAS, the Act does not expressly preempt the exercise of home rule powers under Article VII, Section 6 of the Illinois Constitution of 1970, nor does it contain specific language limiting or denying the power or function of a home rule unit pursuant to Section 7 of the Statute on Statutes, 5 ILCS 70/7; and

WHEREAS, the General Assembly incorporated language into Section 15(p) of the Act, 820 ILCS 192/15(p), which expressly provides that “[t]he provisions of this Act shall not apply to any employer that is covered by a municipal or county ordinance that is in effect on the effective date of this Act that requires employers to give any form of paid leave to their employees, including paid sick leave or paid leave;” and

WHEREAS, Section 15(n) of the Act, 820 ILCS 192/15(n), further provides that “[n]othing in this Act shall be deemed to affect the validity or change the terms of bona fide collective bargaining agreements in effect on January 1, 2024. After that date, requirements of this Act may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms;” and

WHEREAS, the Village recognizes the importance of paid leave for workers; and

WHEREAS, it is the intent of this Ordinance, in compliance with Section 15(p) of the Act, to require employers within the Village of Orland Park, Illinois to provide a minimum of five (5) days of paid leave to their Full Time Employees, as defined herein, and to remove such employers from the application of the Paid Leave for All Workers Act; and

WHEREAS, while this Ordinance, by requiring employers to provide some form paid leave to their employees, provides the necessary requirement for rendering the Act inapplicable to Village employers, it is and at all times shall remain the responsibility of each employer to determine if they are going to provide paid leave in compliance with the Act, in addition to complying with the requirements set forth herein; and

WHEREAS, the President and Board of Trustees of the Village find that it is in the best interest of the Village and its residents, businesses and property owners, and the public’s general health, safety and welfare, to amend Section 7-20-2 of the Village Code to provide a uniform paid leave requirement for employers within the jurisdiction of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1

Recitals. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2

Amendment of Title 7, Section 7-20-2, of the Village Code. Title 7 (Business and License), Section 7-20-2, of the Village Code is hereby amended in its entirety as follows, with deletions struck through and additions underlined:

7-20-2: ~~PAYMENT OF PAID SICK-LEAVE:~~

(A) Employers within the Village shall be required to provide a minimum of five (5) days of paid leave to their Full Time Employees during a 12 month period to be specified by the employer, or such greater amount of paid leave as the employer may determine. Such paid leave may be used by employees for any reason and may be in addition to or included as part of other forms of leave offered by an employer.

(B) Employers located within the Village shall comply with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time with regard to paid sick-leave. Employee eligibility for paid sick-leave shall be in compliance with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time; provided, however, to the extent any State law provides that such law shall not apply to any employer that is covered by a municipal or county ordinance that is in effect on January 1, 2024 that requires employers to give any form of paid leave to their employees, employers within the Village shall be required to provide a minimum of five (5) days of paid leave to their Full Time Employees during a 12 month period to be specified by the employer, or such greater amount of paid leave as the employer may determine. Such paid leave may be used by employees for any reason and may be in addition to or included as part of other forms of leave offered by an employer.

(C) No additional obligations with regard to paid sick-leave of any kind imposed by any ordinance adopted by the Cook County Board of Commissioners shall apply to any employer located within the Village, the Village hereby opts out of any such ordinance(s) adopted by the Cook County Board of Commissioners, and this Chapter of Title 7 of the Village Code is declared to conflict with any such ordinance(s) adopted by the Cook County Board of Commissioners that imposes additional obligations with regard to paid sick leave.

(D) Nothing in this Ordinance shall be deemed to affect the validity or change the terms of any collective bargaining agreements in effect on January 1, 2024.

(E) Nothing in this Ordinance shall be deemed to prohibit any employer from providing leave in accordance with the Paid Leave for All Workers Act, 820 ILCS 192/1 et seq., if an employer elects to do so. Employers shall remain ultimately responsible for determining whether or not to provide paid leave, and how much paid leave to provide to their employees, as long as the minimum amount of paid leave required by this Ordinance is provided. The Village shall not be responsible for any claims based on or relating to alleged non-compliance with the Act.

(F) For the purposes of this Chapter, the term "employee" means an individual permitted to work by an employer regardless of the number of persons the employer employs, and the term "employer" means any person employing one (1) or more employees, or seeking to employ one (1) or more employees, if the person has its principal place of business within the Village or does business within the Village. Full Time Employee means an employee who has worked for a minimum period of one (1) year and who is regularly scheduled to work a minimum of 1600 hours per year.

(G) For the purposes of this Chapter, the term "employer" does not mean:

1. The government of the United States or a corporation wholly owned by the government of the United States;
2. An Indian tribe or a corporation wholly owned by an Indian tribe;
3. The government of the State or any agency or department thereof; or
4. Any unit of government. (Ord. 5193, 6-5-17)

(H) Violations; Enforcement:

Complaints of violation of this Chapter may be filed in writing with the Director of Human Resources. The Director of Human Resources shall thoroughly investigate any such complaints, and shall decide whether prosecution is warranted. Any employer who violates the provisions of this Chapter shall upon conviction be fined according to the general penalty provisions of the Village Code and the fine schedule located in Appendix B for each such offense.

SECTION 3

Severability. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 4

Repealer. Any policy, resolution or ordinance of the Village that conflicts with the provisions of this Ordinance shall be and is hereby repealed to the extent of such conflict.

SECTION 5

Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

REQUEST FOR ACTION REPORT

File Number: **2023-0855**
Orig. Department: **Development Services Department**
File Name: **Land Development Code - Substantive Amendment: Change Public Hearing Notice Mailing Requirements**

BACKGROUND:

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

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DEVELOPMENT SERVICES

TRUSTEES

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Cynthia Nelson Katsenes
Michael R. Milani
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**Staff Report to the Committee of the Whole
11/07/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 7, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. **For background information about each case, please refer to the November 7, 2023 Meeting Minutes and attached Amendment Report.**

CODE AMENDMENTS

- 2023-0855 Change Certified Mail Requirement
- 2023-0856 Remove Net Buildable Acres from Density Definition
- 2023-0857 Remove Appearance Review Requirement for Residential Solar Panels
- 2023-0858 Car Dealership Parking and Storage
- 2023-8859 Clarify Loading Zone Requirements

2023-0855 SUBSTANTIVE AMENDMENT: CHANGE CERTIFIED MAIL REQUIRMENTS

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Commissioner Paul asked if the proposed change was following a specific incident. Staff explained that it was more about making things smoother and cheaper for most project applicants, who often express concerns with the expensive process of sending out certified mail. Staff estimated that 90% of applicants have expressed disapproval of the Village’s certified mail requirement. Chairman Parisi mentioned the positive impact of the amendment on the ongoing issue of certified mail problems. Commissioner Nugent brought up the importance of ensuring notifications reach the right people, especially in cases of property and address changes, letting staff know to consider certified mail for different scenarios and larger-impact cases. Staff stated that the checks put in place (adding a list of addresses and mailing receipt) would help mitigate this issue to make sure all residents are being notified properly. Ultimately, the Plan Commission unanimously recommended approval of the certified mail amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0856 SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY DEFINITION

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked about setback requirements for major roads using 143rd Street by Metro East as an example. Staff responded that setback requirements vary depending on the Zoning District and that that development is located in the Village Center District to create a pedestrian scale, walkable neighborhood. Staff mentioned in the presentation that the proposed density change would not alter any setback requirements but might reduce the need for setback variances or modifications due to the code adjustment. Overall, the Plan Commission supported the code amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0857 SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked why commercial solar panels were not included in the code amendment. Staff explained that there have not been enough commercial solar panel reviews to have a standard approach for quick approvals and that they will consider the change in the future if or when it becomes more common. Overall, the Plan Commission agreed with and recommended approval for the amendment unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: CAR DEALERSHIP PARKING AND STORAGE

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: LOADING SPACES

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Chairman Parisi stated that he knows we have addressed several similar situations quite often. Overall, the Plan Commission expressed support for the amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0859, also known as Technical Amendment: Loading Spaces.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

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Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

...

1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

...

3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The development community, general public, and Village Staff will benefit from this change for clarity and technical correction.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

...

5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

...

Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

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3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

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4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

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SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

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SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

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4. Review by Development Services Department

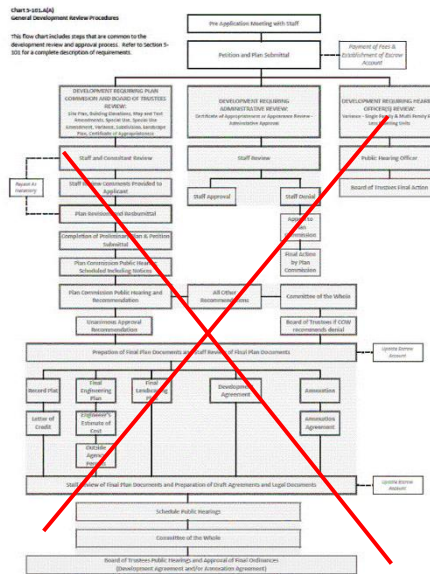
- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.

- a. Substantial alterations to a final plan shall include but not be limited to things such as:
 - Enlargement of storm water facility sizes;
 - Reductions in setbacks;
 - Construction of or alterations to retaining walls;
 - Changes in street layout/land use;
 - Increases in lot coverage;
 - Changes parking configurations;
 - Changes that result in new or expanded variances or modifications to special use regulations; and
 - Changes to the number of units, building area, or building stories.

GENERAL DEVELOPMENT PROCEDURES

CHART 5-101.A (A)



...

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

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8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

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SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

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SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

...

SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall be 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** ~~The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

REQUEST FOR ACTION REPORT

File Number:	2023-0856
Orig. Department:	Development Services Department
File Name:	Land Development Code - Substantive Amendment: Remove Net Buildable Acres From Density Requirement

BACKGROUND:

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

This agenda item is being considered by the Committee of the Whole and the Village Board of

Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

14700 S. Ravinia Avenue
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**ORLAND
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DEVELOPMENT SERVICES

TRUSTEES

William R. Healy
Cynthia Nelson Katsenes
Michael R. Milani
Sean Kampas
Brian J. Riordan
Joni J. Radaszewski

**Staff Report to the Committee of the Whole
11/07/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 7, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. **For background information about each case, please refer to the November 7, 2023 Meeting Minutes and attached Amendment Report.**

CODE AMENDMENTS

- 2023-0855 Change Certified Mail Requirement
- 2023-0856 Remove Net Buildable Acres from Density Definition
- 2023-0857 Remove Appearance Review Requirement for Residential Solar Panels
- 2023-0858 Car Dealership Parking and Storage
- 2023-8859 Clarify Loading Zone Requirements

2023-0855 SUBSTANTIVE AMENDMENT: CHANGE CERTIFIED MAIL REQUIRMENTS

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Commissioner Paul asked if the proposed change was following a specific incident. Staff explained that it was more about making things smoother and cheaper for most project applicants, who often express concerns with the expensive process of sending out certified mail. Staff estimated that 90% of applicants have expressed disapproval of the Village’s certified mail requirement. Chairman Parisi mentioned the positive impact of the amendment on the ongoing issue of certified mail problems. Commissioner Nugent brought up the importance of ensuring notifications reach the right people, especially in cases of property and address changes, letting staff know to consider certified mail for different scenarios and larger-impact cases. Staff stated that the checks put in place (adding a list of addresses and mailing receipt) would help mitigate this issue to make sure all residents are being notified properly. Ultimately, the Plan Commission unanimously recommended approval of the certified mail amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0856 SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY DEFINITION

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked about setback requirements for major roads using 143rd Street by Metro East as an example. Staff responded that setback requirements vary depending on the Zoning District and that that development is located in the Village Center District to create a pedestrian scale, walkable neighborhood. Staff mentioned in the presentation that the proposed density change would not alter any setback requirements but might reduce the need for setback variances or modifications due to the code adjustment. Overall, the Plan Commission supported the code amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0857 SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked why commercial solar panels were not included in the code amendment. Staff explained that there have not been enough commercial solar panel reviews to have a standard approach for quick approvals and that they will consider the change in the future if or when it becomes more common. Overall, the Plan Commission agreed with and recommended approval for the amendment unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: CAR DEALERSHIP PARKING AND STORAGE

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: LOADING SPACES

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Chairman Parisi stated that he knows we have addressed several similar situations quite often. Overall, the Plan Commission expressed support for the amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0859, also known as Technical Amendment: Loading Spaces.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

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Joni J. Radaszewski

Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

...

1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

...

3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The development community, general public, and Village Staff will benefit from this change for clarity and technical correction.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

...

5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

...

Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

...

3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

...

SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

...

SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

...

4. Review by Development Services Department

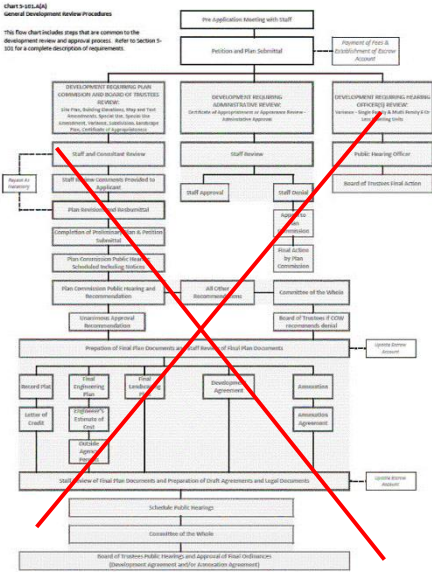
- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.

- a. Substantial alterations to a final plan shall include but not be limited to things such as:
 - Enlargement of storm water facility sizes;
 - Reductions in setbacks;
 - Construction of or alterations to retaining walls;
 - Changes in street layout/land use;
 - Increases in lot coverage;
 - Changes parking configurations;
 - Changes that result in new or expanded variances or modifications to special use regulations; and
 - Changes to the number of units, building area, or building stories.

GENERAL DEVELOPMENT PROCEDURES

CHART 5-101.A (A)



...

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

...

SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

...

SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall be 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** ~~The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty-six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number: **2023-0857**
Orig. Department: **Development Services Department**
File Name: **Land Development Code - Substantive Amendment: Change Solar Panel Review Process**

BACKGROUND:

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ETC) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23

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

**Staff Report to the Committee of the Whole
11/07/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 7, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. **For background information about each case, please refer to the November 7, 2023 Meeting Minutes and attached Amendment Report.**

CODE AMENDMENTS

- 2023-0855 Change Certified Mail Requirement
- 2023-0856 Remove Net Buildable Acres from Density Definition
- 2023-0857 Remove Appearance Review Requirement for Residential Solar Panels
- 2023-0858 Car Dealership Parking and Storage
- 2023-8859 Clarify Loading Zone Requirements

2023-0855 SUBSTANTIVE AMENDMENT: CHANGE CERTIFIED MAIL REQUIRMENTS

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Commissioner Paul asked if the proposed change was following a specific incident. Staff explained that it was more about making things smoother and cheaper for most project applicants, who often express concerns with the expensive process of sending out certified mail. Staff estimated that 90% of applicants have expressed disapproval of the Village’s certified mail requirement. Chairman Parisi mentioned the positive impact of the amendment on the ongoing issue of certified mail problems. Commissioner Nugent brought up the importance of ensuring notifications reach the right people, especially in cases of property and address changes, letting staff know to consider certified mail for different scenarios and larger-impact cases. Staff stated that the checks put in place (adding a list of addresses and mailing receipt) would help mitigate this issue to make sure all residents are being notified properly. Ultimately, the Plan Commission unanimously recommended approval of the certified mail amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0856 SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY DEFINITION

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked about setback requirements for major roads using 143rd Street by Metro East as an example. Staff responded that setback requirements vary depending on the Zoning District and that that development is located in the Village Center District to create a pedestrian scale, walkable neighborhood. Staff mentioned in the presentation that the proposed density change would not alter any setback requirements but might reduce the need for setback variances or modifications due to the code adjustment. Overall, the Plan Commission supported the code amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0857 SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked why commercial solar panels were not included in the code amendment. Staff explained that there have not been enough commercial solar panel reviews to have a standard approach for quick approvals and that they will consider the change in the future if or when it becomes more common. Overall, the Plan Commission agreed with and recommended approval for the amendment unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: CAR DEALERSHIP PARKING AND STORAGE

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: LOADING SPACES

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Chairman Parisi stated that he knows we have addressed several similar situations quite often. Overall, the Plan Commission expressed support for the amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0859, also known as Technical Amendment: Loading Spaces.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

14700 S. Ravinia Avenue
Orland Park, IL 60462
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**ORLAND
PARK**

DEVELOPMENT SERVICES

TRUSTEES

William R. Healy
Cynthia Nelson Katsenes
Michael R. Milani
Sean Kampas
Brian J. Riordan
Joni J. Radaszewski

Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on the **a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

...

1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

...

3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The development community, general public, and Village Staff will benefit from this change for clarity and technical correction.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

...

5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

...

Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

...

3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

...

SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

...

SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

...

4. Review by Development Services Department

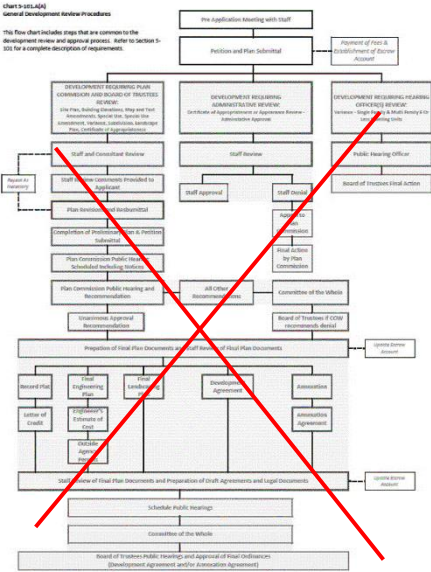
- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.

- a. Substantial alterations to a final plan shall include but not be limited to things such as:
 - Enlargement of storm water facility sizes;
 - Reductions in setbacks;
 - Construction of or alterations to retaining walls;
 - Changes in street layout/land use;
 - Increases in lot coverage;
 - Changes parking configurations;
 - Changes that result in new or expanded variances or modifications to special use regulations; and
 - Changes to the number of units, building area, or building stories.

GENERAL DEVELOPMENT PROCEDURES

CHART 5-101.A (A)



...

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

...

SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

...

SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~—a.—~~The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~i.~~ An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~—b.—~~ Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).

~~—i.—~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~—ii.—~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~—iii.—~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~—iv.—~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall be 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** ~~The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number: **2023-0858**
Orig. Department: **Development Services Department**
File Name: **Land Development Code - Substantive Amendment: Car Dealership Parking and Storage**

BACKGROUND:

AMENDMENT SUMMARY **SECTION 6-306**

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend the Village Board to approve the Plan Commission recommended action for case number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

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**ORLAND
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DEVELOPMENT SERVICES

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**Staff Report to the Committee of the Whole
11/07/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 7, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. **For background information about each case, please refer to the November 7, 2023 Meeting Minutes and attached Amendment Report.**

CODE AMENDMENTS

- 2023-0855 Change Certified Mail Requirement
- 2023-0856 Remove Net Buildable Acres from Density Definition
- 2023-0857 Remove Appearance Review Requirement for Residential Solar Panels
- 2023-0858 Car Dealership Parking and Storage
- 2023-8859 Clarify Loading Zone Requirements

2023-0855 SUBSTANTIVE AMENDMENT: CHANGE CERTIFIED MAIL REQUIRMENTS

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Commissioner Paul asked if the proposed change was following a specific incident. Staff explained that it was more about making things smoother and cheaper for most project applicants, who often express concerns with the expensive process of sending out certified mail. Staff estimated that 90% of applicants have expressed disapproval of the Village’s certified mail requirement. Chairman Parisi mentioned the positive impact of the amendment on the ongoing issue of certified mail problems. Commissioner Nugent brought up the importance of ensuring notifications reach the right people, especially in cases of property and address changes, letting staff know to consider certified mail for different scenarios and larger-impact cases. Staff stated that the checks put in place (adding a list of addresses and mailing receipt) would help mitigate this issue to make sure all residents are being notified properly. Ultimately, the Plan Commission unanimously recommended approval of the certified mail amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0856 SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY DEFINITION

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked about setback requirements for major roads using 143rd Street by Metro East as an example. Staff responded that setback requirements vary depending on the Zoning District and that that development is located in the Village Center District to create a pedestrian scale, walkable neighborhood. Staff mentioned in the presentation that the proposed density change would not alter any setback requirements but might reduce the need for setback variances or modifications due to the code adjustment. Overall, the Plan Commission supported the code amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0857 SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked why commercial solar panels were not included in the code amendment. Staff explained that there have not been enough commercial solar panel reviews to have a standard approach for quick approvals and that they will consider the change in the future if or when it becomes more common. Overall, the Plan Commission agreed with and recommended approval for the amendment unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: CAR DEALERSHIP PARKING AND STORAGE

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: LOADING SPACES

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Chairman Parisi stated that he knows we have addressed several similar situations quite often. Overall, the Plan Commission expressed support for the amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0859, also known as Technical Amendment: Loading Spaces.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

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Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

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1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

...

3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The development community, general public, and Village Staff will benefit from this change for clarity and technical correction.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

...

5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

...

Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: **MODIFY THE ENTITLEMENT REVIEW PROCESS**

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

...

3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

...

SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

...

SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

...

4. Review by Development Services Department

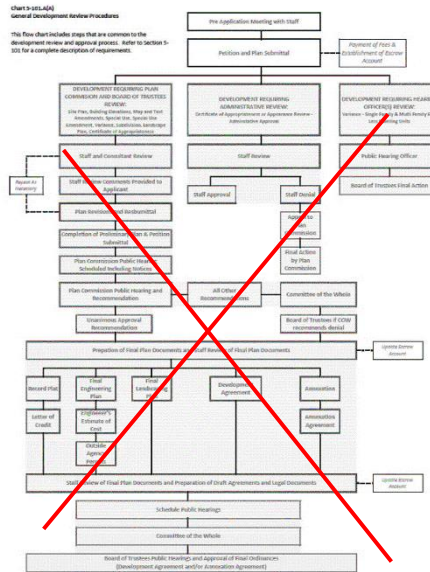
- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.

- a. Substantial alterations to a final plan shall include but not be limited to things such as:
 - Enlargement of storm water facility sizes;
 - Reductions in setbacks;
 - Construction of or alterations to retaining walls;
 - Changes in street layout/land use;
 - Increases in lot coverage;
 - Changes parking configurations;
 - Changes that result in new or expanded variances or modifications to special use regulations; and
 - Changes to the number of units, building area, or building stories.

GENERAL DEVELOPMENT PROCEDURES

CHART 5-101.A (A)



...

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

...

SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

...

SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~—a.—~~The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~i.~~ An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~—b.—~~ Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).

~~—i.—~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~—ii.—~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~—iii.—~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~—iv.—~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall be 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. ~~The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty-six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number: **2023-0859**
Orig. Department: **Development Services Department**
File Name: **Land Development Code - Technical Amendment: Loading Spaces**

BACKGROUND:

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The Development community, general public, and Village staff will benefit from this change for clarity and technical correction.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0859, also known as Technical Amendment: Loading Spaces to the Plan Commission for this case.

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

I move to recommend to the Village Board to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

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**Staff Report to the Committee of the Whole
11/07/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 7, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. **For background information about each case, please refer to the November 7, 2023 Meeting Minutes and attached Amendment Report.**

CODE AMENDMENTS

- 2023-0855 Change Certified Mail Requirement
- 2023-0856 Remove Net Buildable Acres from Density Definition
- 2023-0857 Remove Appearance Review Requirement for Residential Solar Panels
- 2023-0858 Car Dealership Parking and Storage
- 2023-8859 Clarify Loading Zone Requirements

2023-0855 SUBSTANTIVE AMENDMENT: CHANGE CERTIFIED MAIL REQUIRMENTS

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Commissioner Paul asked if the proposed change was following a specific incident. Staff explained that it was more about making things smoother and cheaper for most project applicants, who often express concerns with the expensive process of sending out certified mail. Staff estimated that 90% of applicants have expressed disapproval of the Village’s certified mail requirement. Chairman Parisi mentioned the positive impact of the amendment on the ongoing issue of certified mail problems. Commissioner Nugent brought up the importance of ensuring notifications reach the right people, especially in cases of property and address changes, letting staff know to consider certified mail for different scenarios and larger-impact cases. Staff stated that the checks put in place (adding a list of addresses and mailing receipt) would help mitigate this issue to make sure all residents are being notified properly. Ultimately, the Plan Commission unanimously recommended approval of the certified mail amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0856 SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY DEFINITION

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked about setback requirements for major roads using 143rd Street by Metro East as an example. Staff responded that setback requirements vary depending on the Zoning District and that that development is located in the Village Center District to create a pedestrian scale, walkable neighborhood. Staff mentioned in the presentation that the proposed density change would not alter any setback requirements but might reduce the need for setback variances or modifications due to the code adjustment. Overall, the Plan Commission supported the code amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0857 SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked why commercial solar panels were not included in the code amendment. Staff explained that there have not been enough commercial solar panel reviews to have a standard approach for quick approvals and that they will consider the change in the future if or when it becomes more common. Overall, the Plan Commission agreed with and recommended approval for the amendment unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: CAR DEALERSHIP PARKING AND STORAGE

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

2023-0858 SUBSTANTIVE AMENDMENT: LOADING SPACES

PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Chairman Parisi stated that he knows we have addressed several similar situations quite often. Overall, the Plan Commission expressed support for the amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0859, also known as Technical Amendment: Loading Spaces.

This Part Is For Reference Only (Not Necessary To Be Read)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

MAYOR

Keith Pekau

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Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

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1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

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3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

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TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The development community, general public, and Village Staff will benefit from this change for clarity and technical correction.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

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5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

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Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: **MODIFY THE ENTITLEMENT REVIEW PROCESS**

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

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3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

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SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

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SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

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4. Review by Development Services Department

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

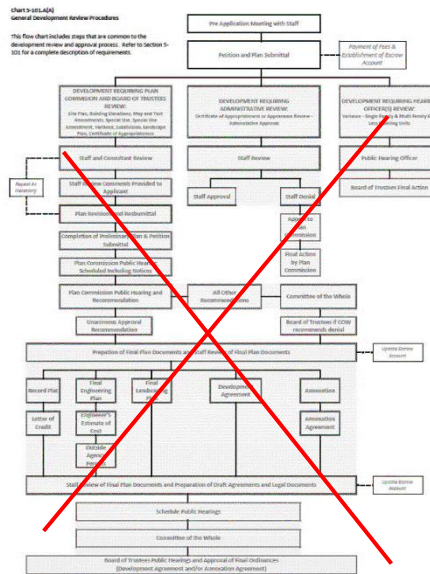
shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.

a. Substantial alterations to a final plan shall include but not be limited to things such as:

- Enlargement of storm water facility sizes;
- Reductions in setbacks;
- Construction of or alterations to retaining walls;
- Changes in street layout/land use;
- Increases in lot coverage;
- Changes parking configurations;
- Changes that result in new or expanded variances or modifications to special use regulations; and
- Changes to the number of units, building area, or building stories.

GENERAL DEVELOPMENT PROCEDURES

CHART 5-101.A (A)



...

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

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8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25) % for the principal structures, pavement, and accessory structures.~~

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

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SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%**
for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

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SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

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SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~—a.—~~The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~i.~~ An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~—b.—~~ Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).

~~—i.—~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~—ii.—~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~—iii.—~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~—iv.—~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

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SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall be 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. ~~The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty-six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

REQUEST FOR ACTION REPORT

File Number:	2023-0896
Orig. Department:	Development Services Department
File Name:	Land Development Code - Substantive Amendment: Modify Entitlements Review Process

BACKGROUND:

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present “80%” complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0896, also known as Substantive Amendment: Modify Entitlement Review Process.

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

I move to recommend to the Village Board to approve the Land Development Code Amendments for Sections 5-101.A, 5-101.C, and 5-101.K, as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

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



**ORLAND
PARK**

DEVELOPMENT SERVICES

TRUSTEES

William R. Healy

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Michael R. Milani

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Joni J. Radaszewski

Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board; however, the process was changed to an administrative review process.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

...

1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

...

3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' or 15' clearances and modify the table heading to 6-306(J), ensuring consistency and accuracy.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

...

5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

...

Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

...

3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

...

SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

...

SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

...

4. Review by Development Services Department

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

...

SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

...

SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~—a.—~~The base lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~i.~~ An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~—b.—~~ Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).

~~—i.—~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~—ii.—~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~—iii.—~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~—iv.—~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. ~~The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

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



**ORLAND
PARK**

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TRUSTEES

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**Staff Report to the Committee of the Whole
11/21/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 21, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. For additional background information about each case, please refer to the November 21, 2023 Meeting Minutes and attached Amendment Report.

CODE AMENDMENTS

- 2023-0896 Modify Entitlement Review Process
- 2023-0897 Modify Residential Best Management Practices
- 2023-0898 Clarify Driveway and Driveway Aprons
- 2023-0899 Adding New Permitted Use to Open Space District

2023-0896 SUBSTANTIVE AMENDMENT: MODIFY ENTITLEMENT REVIEW PROCESS

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0896, also known as Substantive Amendment: Modify Entitlement Review Process

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 5-101.A, 5-101.C, and 5-101.K, as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

2023-0897 SUBSTANTIVE AMENDMENT: MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0897, also known as Substantive Amendments: Modify Residential Best Management Practices (BMP's).

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 6-305.F.2.c, 6-201.F, 6-202.F,6-203.F,6-203.5.F, 6-204.F, 6-204.5.F, 6-205.F, 6-206.G as presented in the attached amendment report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

2023-0898 SUBSTANTIVE AMENDMENT: CLARIFY DRIVEWAY AND DRIVEWAY APRONS

PLAN COMMISSION DISCUSSION

Schussler requested that staff consider a 21' driveway maximum be considered instead of 20' to provide more parking space for homeowners. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0898, also known as Technical Amendment: Clarify Driveway and Driveway Apron Regulations

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code and Village Code Amendments for Sections 6-306.E.8, 6-406.B.6, 3-4-2-6 as presented in the attached report titled "12/5/23 Land Development Code Amendment Report" dated November 29, 2023.

2023-0899 SUBSTANTIVE AMENDMENT: ADDING NEW PERMITTED USE TO OPEN SPACE DISTRICT

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0899, also known as Substantive Amendment: Adding New Permitted Use to the Open Space District.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-213 as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

REQUEST FOR ACTION REPORT

File Number: **2023-0897**
Orig. Department: **Development Services Department**
File Name: **Land Development Code - Substantive Amendment: Modify Residential Best Management Practices (BMPs)**

BACKGROUND:

AMENDMENT SUMMARY

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping
Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas

SECTION 6-201.F. E-1 Estate Residential
SECTION 6-202.F. R-1 Residential
SECTION 6-203.F. R-2 Residential
SECTION 6-203.5.F. R-2A Residential
SECTION 6-204.F. R-3 Residential
SECTION 6-204.5.F. R-3A Residential
SECTION 6-205.F. R-4 Residential
SECTION 6-206.G RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district

in the existing regulations

This agenda item is being considered by the Committee of the Whole and the Village Board of trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0897, also known as Substantive Amendments: Modify Residential Best Management Practices (BMP's).

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 6-305.F.2.c, 6-201.F, 6-202.F, 6-203.F, 6-203.5.F, 6-204.F, 6-204.5.F, 6-205.F, 6-206.G as presented in the attached amendment report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

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

Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board; however, the process was changed to an administrative review process.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

...

1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

...

3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' or 15' clearances and modify the table heading to 6-306(J), ensuring consistency and accuracy.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

...

5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

...

Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

...

SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%"-complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

...

3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

...

SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

...

SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

...

4. Review by Development Services Department

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

...

SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

...

SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~—a.—~~The base lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~i.~~ An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~—b.—~~ Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).

~~—i.—~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~—ii.—~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~—iii.—~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~—iv.—~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. ~~The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

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**Staff Report to the Committee of the Whole
11/21/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 21, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. For additional background information about each case, please refer to the November 21, 2023 Meeting Minutes and attached Amendment Report.

CODE AMENDMENTS

- 2023-0896 Modify Entitlement Review Process
- 2023-0897 Modify Residential Best Management Practices
- 2023-0898 Clarify Driveway and Driveway Aprons
- 2023-0899 Adding New Permitted Use to Open Space District

2023-0896 SUBSTANTIVE AMENDMENT: MODIFY ENTITLEMENT REVIEW PROCESS

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0896, also known as Substantive Amendment: Modify Entitlement Review Process

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 5-101.A, 5-101.C, and 5-101.K, as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

2023-0897 SUBSTANTIVE AMENDMENT: MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0897, also known as Substantive Amendments: Modify Residential Best Management Practices (BMP's).

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 6-305.F.2.c, 6-201.F, 6-202.F,6-203.F,6-203.5.F, 6-204.F, 6-204.5.F, 6-205.F, 6-206.G as presented in the attached amendment report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

2023-0898 SUBSTANTIVE AMENDMENT: CLARIFY DRIVEWAY AND DRIVEWAY APRONS

PLAN COMMISSION DISCUSSION

Schussler requested that staff consider a 21' driveway maximum be considered instead of 20' to provide more parking space for homeowners. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0898, also known as Technical Amendment: Clarify Driveway and Driveway Apron Regulations

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code and Village Code Amendments for Sections 6-306.E.8, 6-406.B.6, 3-4-2-6 as presented in the attached report titled "12/5/23 Land Development Code Amendment Report" dated November 29, 2023.

2023-0899 SUBSTANTIVE AMENDMENT: ADDING NEW PERMITTED USE TO OPEN SPACE DISTRICT

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0899, also known as Substantive Amendment: Adding New Permitted Use to the Open Space District.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-213 as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

REQUEST FOR ACTION REPORT

File Number: **2023-0898**
Orig. Department: **Development Services Department**
File Name: **Land Development Code & Village Code - Substantive Amendment: Clarify Driveways and Driveway Apron Regulations**

BACKGROUND:

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0898, also known as Technical Amendment: Clarify Driveway and Driveway Apron Regulations.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code and Village Code Amendments for Sections 6-306.E.8, 6-406.B.6, 3-4-2-6 as presented in the attached report titled "12/5/23 Land Development Code Amendment Report" dated November 29, 2023.

MAYOR

Keith Pekau

VILLAGE CLERK

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Amendment Report to the Committee of the Whole

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on **the a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board; however, the process was changed to an administrative review process.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

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1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

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3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' or 15' clearances and modify the table heading to 6-306(J), ensuring consistency and accuracy.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

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5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

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Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

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SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

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3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

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SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

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SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

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4. Review by Development Services Department

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

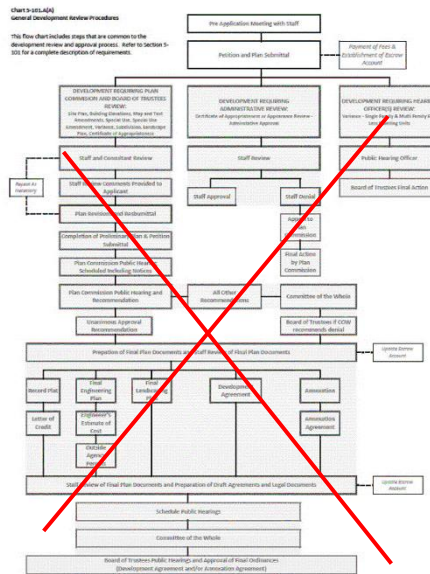
shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.

a. Substantial alterations to a final plan shall include but not be limited to things such as:

- Enlargement of storm water facility sizes;
- Reductions in setbacks;
- Construction of or alterations to retaining walls;
- Changes in street layout/land use;
- Increases in lot coverage;
- Changes parking configurations;
- Changes that result in new or expanded variances or modifications to special use regulations; and
- Changes to the number of units, building area, or building stories.

GENERAL DEVELOPMENT PROCEDURES

CHART 5-101.A (A)



...

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F.	E-1 Estate Residential
SECTION 6-202.F.	R-1 Residential
SECTION 6-203.F.	R-2 Residential
SECTION 6-203.5.F.	R-2A Residential
SECTION 6-204.F.	R-3 Residential
SECTION 6-204.5.F.	R-3A Residential
SECTION 6-205.F.	R-4 Residential
SECTION 6-206.G.	RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

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SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

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SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

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SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

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SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

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SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. ~~The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

MAYOR

Keith Pekau

VILLAGE CLERK

Patrick R. O’Sullivan

14700 S. Ravinia Avenue
Orland Park, IL 60462
708.403.6100
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**ORLAND
PARK**

DEVELOPMENT SERVICES

TRUSTEES

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Cynthia Nelson Katsenes
Michael R. Milani
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Brian J. Riordan
Joni J. Radaszewski

**Staff Report to the Committee of the Whole
11/21/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 21, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. For additional background information about each case, please refer to the November 21, 2023 Meeting Minutes and attached Amendment Report.

CODE AMENDMENTS

- 2023-0896 Modify Entitlement Review Process
- 2023-0897 Modify Residential Best Management Practices
- 2023-0898 Clarify Driveway and Driveway Aprons
- 2023-0899 Adding New Permitted Use to Open Space District

2023-0896 SUBSTANTIVE AMENDMENT: MODIFY ENTITLEMENT REVIEW PROCESS

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0896, also known as Substantive Amendment: Modify Entitlement Review Process

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 5-101.A, 5-101.C, and 5-101.K, as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

2023-0897 SUBSTANTIVE AMENDMENT: MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0897, also known as Substantive Amendments: Modify Residential Best Management Practices (BMP's).

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 6-305.F.2.c, 6-201.F, 6-202.F,6-203.F,6-203.5.F, 6-204.F, 6-204.5.F, 6-205.F, 6-206.G as presented in the attached amendment report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

2023-0898 SUBSTANTIVE AMENDMENT: CLARIFY DRIVEWAY AND DRIVEWAY APRONS

PLAN COMMISSION DISCUSSION

Schussler requested that staff consider a 21' driveway maximum be considered instead of 20' to provide more parking space for homeowners. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0898, also known as Technical Amendment: Clarify Driveway and Driveway Apron Regulations

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code and Village Code Amendments for Sections 6-306.E.8, 6-406.B.6, 3-4-2-6 as presented in the attached report titled "12/5/23 Land Development Code Amendment Report" dated November 29, 2023.

2023-0899 SUBSTANTIVE AMENDMENT: ADDING NEW PERMITTED USE TO OPEN SPACE DISTRICT

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0899, also known as Substantive Amendment: Adding New Permitted Use to the Open Space District.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-213 as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

REQUEST FOR ACTION REPORT

File Number: 2023-0899
Orig. Department: Development Services Department
File Name: Land Development Code - Substantive Amendment: Adding New Permitted Use to the Open Space District

BACKGROUND:

AMENDMENT SUMMARY

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0899, also known as Substantive Amendment: Adding New Permitted Use to the Open Space District.

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

I move to recommend to the Village Board to approve the Land Development Code Amendments for Section 6-213 as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

.

MAYOR

Keith Pekau

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**Staff Report to the Committee of the Whole
11/21/23 Land Development Code Amendments**

Prepared: 11/14/23

PLAN COMMISSION SUMMARY

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2023-0896 SUBSTANTIVE AMENDMENT: MODIFY ENTITLEMENT REVIEW PROCESS

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

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2023-0897 SUBSTANTIVE AMENDMENT: MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES

PLAN COMMISSION DISCUSSION

There was no discussion from the Commissioners regarding this case. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board approve case number 2023-0897, also known as Substantive Amendments: Modify Residential Best Management Practices (BMP's).

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2023-0898 SUBSTANTIVE AMENDMENT: CLARIFY DRIVEWAY AND DRIVEWAY APRONS

PLAN COMMISSION DISCUSSION

Schussler requested that staff consider a 21' driveway maximum be considered instead of 20' to provide more parking space for homeowners. The Plan Commission unanimously recommended approval of the amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

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2023-0899 SUBSTANTIVE AMENDMENT: ADDING NEW PERMITTED USE TO OPEN SPACE DISTRICT

PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees approve case number 2023-0899, also known as Substantive Amendment: Adding New Permitted Use to the Open Space District.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-213 as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.

MAYOR

Keith Pekau

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Amendment Report to the Board of Trustees

Project: 11/7/23 and 11/21/2023 Land Development Code Amendments

Prepared By: Development Services Department

SUBSTANTIVE AMENDMENT: CHANGE PUBLIC HEARING NOTICE MAILING REQUIREMENTS

AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300’ notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300’ radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

PLAN COMMISSION RECOMMENDATION As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.G.2.b Notification Requirements.

...

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by **certified first-class** mail ~~with return receipt requested~~ to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. ~~The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.~~

...

5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit, **list of addressed to be notified, and a certificate of mailing from the United States Post Office** to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

...

SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY CALCULATION

AMENDMENT SUMMARY

SECTION 2-102

Amend regulations to remove net buildable acres from the Land Development Code (LDC).

AMENDMENT EXPLANATION

The goal of this amendment is to change the calculation method for density with an objective of eliminating unnecessary obstacles to residential development.

Currently, density is calculated based on net buildable acres, which deducts certain areas like utility easements, parks, and wetlands from a subject site's overall density. This method makes it cumbersome for developers dealing with limited available land and additional land use restrictions to understand the development potential prior to spending thousands of dollars preparing a proposal package and petitioning the village for an entitlement approval.

This amendment is proposed because of an increase in rainfall data and MWRD requirements has resulted in stricter stormwater mitigation standards. Conceptual plans for developments, particularly those with stormwater management needs or on-site wetlands, are consistently rejected for being too dense after a significant amount of time and money have already been invested in a project.

Such plans would meet LDC standards if the density definition did not include the detention pond or wetland area in the density calculation. This change can help reduce the number of requested variances and modifications to our code in relating to setbacks and density.

The proposed shift to a gross density calculation involves considering the total land area of a subject site without deducting these elements, offering a practical and straightforward solution which also supports investment. This adjustment optimizes land use while adhering to code requirements and accommodating evolving housing preferences, such as an increasing demand for single-family attached homes.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. DEFINITIONS

...

Density is defined as the number of dwelling units per ~~Net Buildable Acres~~ **acre** on the **a subject** site. (Ord. 4096 – 12/5/05)

...

~~**Net Buildable Acres** means lands within one (1) site that are contiguous and accessible by the same local or internal road system. Net Buildable Acres shall be calculated by deducting the following from the Gross Acreage of Land: (Ord. 4096 – 12/5/05)~~

~~— 1. 50% of Com Ed easement if owned by the petitioner and the space serves as a public open space amenity;~~

~~— 2. 50% of land required for a Park or School dedication;~~

~~— 3. Perimeter road right-of-way dedication;~~

~~— 4. Floodplain that must be conserved;~~

~~— 5. Detention and retention areas up to the high water level; and (Ord. 4434 – 12/1/08)~~

~~— 6. Wetlands that must be conserved either by Federal, State or Local requirements. (Ord. 4434 – 12/1/08)~~

~~**Net Buildable Acreage** can include:~~

~~— 1. Private and common open space;~~

~~— 2. Internal roads, bikepaths and dedicated transitways;~~

~~— 3. Environmental and historic areas conserved that would otherwise be buildable; and~~

~~— 4. Underground utility easements that may be usable for yard space.~~

...

SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 6-314 ENVIRONMENTAL CLEAN TECHNOLOGY

Amend the Land Development Code (LDC) to remove Appearance Review requirements for single family residential rooftop solar panels.

AMENDMENT EXPLANATION

The goal is to revise the regulations for the Environmental Clean Technology (ECT) Appearance Review with an objective of simplifying the solar panel review process for both residents and staff. Initially, solar panels required Special Use Permits approved by the Village Board due to the uncertainty of the technology and potential impact on neighbors. However, the process was changed to a the review process because these concerns were unfounded, but there still were changes to the exterior of homes.

The proposed amendment eliminates the need for Appearance Reviews specifically for residential flush-mounted rooftop solar panels, which consistently adhere to all other LDC requirements. We are changing this now because virtually all solar panels are surface-mounted and parallel to the sloped roof surface.

This amendment is intended to streamline the review process, creating less paperwork for residents, and freeing up considerable staff time and resources, as all tasks associated with the Appearance Review are already addressed during the permit review for residential solar panels. This amendment will also enhance staff efficiency and enable more timely reviews of other permit applications and development petitions.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-314.B. ENVIRONMENTAL CLEAN TECHNOLOGY REVIEW AND APPROVAL PROCESS.

...

1. **Application.** Except for residential flush-mounted rooftop solar panels, 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.** Per this subsection, 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).

...

SUBSTANTIVE AMENDMENTS: CAR DEALERSHIP PARKING AND STORAGE

AMENDMENT SUMMARY

SECTION 6-306

Clarify required number of parking spaces calculation for automobile sales and rental land uses.

AMENDMENT EXPLANATION

The goal of this amendment is to reduce automobile sales and rental use requests for a variance or special use permit due to the substantial number of cars in an on-site inventory, with an objective of removing automobile sales and rental inventory from the calculation of off-street parking requirements.

Currently, the Land Development Code (LDC) states that when an applicant requests more than a 20% increase to the required number allocated parking spaces, a variance or a special use modification is needed. Due to automobile sales and rental uses having substantial inventories, a variance or a special use permit is typically required.

This amendment removes a burden for the automobile sales and rental petitioners from making a universal request for modifications from the LDC to accommodate their off-street parking needs.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306.B REQUIRED NUMBER OF OFF-STREET PARKING SPACES.

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3. In the event that an applicant demonstrates that a new use, whether in an existing building or new construction, will require more parking spaces than the number allocated under Table 6-306(B), the Development Services Department may authorize up to a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot. **This calculation excludes the storage spaces for automobile inventory of vehicles for sale and/or lease by automobile sales and rental land uses.** Any request exceeding a ~~twenty percent (20%)~~ increase in the total number of parking spaces permitted on the lot shall be a variance or modification pursuant to a special use. The Development Services Department may issue such authorization only upon the request of the applicant and only upon determining that the new use will attract more vehicles than the parking lot could otherwise accommodate. (Ord. 2860 – 3/18/96; Amd. Ord. 4373 – 6/2/08; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5389 – 3/4/19)

...

TECHNICAL AMENDMENT: LOADING SPACES

AMENDMENT SUMMARY

Section 6-306.J.

Adjust discrepancy between the requirements and table 6-306(L)a. to consistent information.

Table 6-306(L)a.

Clarify the heading of the schedule of loading requirements table.

AMENDMENT EXPLANATION

The goal of this amendment is to improve clarity and consistency throughout the Land Development Code (LDC), with an objective of correcting the discrepancy between the requirements in the code and the table 6-306(L)a.

Currently, the LDC vertical clearance requirements do not reflect the table specifying the minimum vertical clearance requirements set forth in the Schedule of Loading Requirements table. Additionally, the aforementioned table is labeled incorrectly.

Due to this inconsistency, the recommendation is to correct the loading requirements to a uniform 12' clearance and modify the table heading to 6-306(J), ensuring consistency and accuracy.

The development community, general public, and Village Staff will benefit from this change for clarity and technical correction.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-306(J). NUMBER, SIZE AND LOCATION OF LOADING SPACES.

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5. Unless otherwise provided by these regulations, a required loading space shall be at least ~~twelve (12)~~ feet in width by at least ~~twenty-five (25)~~ feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance ~~of at least fourteen (14) feet.~~ **dependent on the floor area of the establishment, as displayed in Table 6-306(J)a.**

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Table 6-306(LJ)a
SCHEDULE OF LOADING REQUIREMENTS

Floor Area of Establishment (sq. ft.)	Required Number	Minimum Size (ft.)	Minimum Vertical Clearance (ft.)
0-10,000	1	12 x 25	12
10,001-25,000	2	12 x 25	12
25,001-40,000	3	12 x 25	15
40,001-100,000	4	12 x 25	15
over 100,000	5*	12 x 25	15

* plus one additional space for every 50,000 sq. ft. of floor area over 150,000.

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SUBSTANTIVE AMENDMENT: MODIFY THE ENTITLEMENT REVIEW PROCESS

AMENDMENT SUMMARY

SECTION 5-101.A.3 General Process

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

SECTION 5-101.A.3 Appearance Before the Committee of the Whole

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

SECTION 5-101.C Public Meeting Sequence with a Public Hearing

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

SECTION 5-101.K.4 Review by Development Services Department

Change language to new final approval method and clarify language associated with final engineering reviews.

CHART 5-101.A (A)

Remove chart at end of section as it will no longer correlate with proposed amendments.

AMENDMENT EXPLANATION

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final engineering and final landscaping stages within the entitlements process.

Currently, the Board of Trustees requires staff approval of final engineering and final landscaping before granting project approval. The proposed approach will enable applicants to initially present "80%" -complete plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saving the development community time and money, and facilitating a more efficient project progression.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the BOT, staff recommends an approach that will ensure the final plans are in substantial conformance to the "80%" plans referenced in the ordinance. If the final engineering or final landscaping review results in substantial alterations to the Board-approved plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 5-101.A. DUE PROCESS.

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.

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3. **General Process.** There are three distinct development review processes which are ~~outlined in Chart 5-101.A (A) at the end of this section. The three processes are~~ summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 1. Pre-application Review with Village Staff;
 2. Filing of Application and Scheduling Plan Commission Public Hearing;
 3. Plan Commission Review and Recommendation;
 - ~~4. Committee of the Whole and/or Board of Trustees Review;~~
 - ~~5. Final Plan Preparation and Staff Review;~~
 4. ~~6.~~ Committee of the Whole Review (if applicable per Section 5.101.A.4);
 5. ~~7.~~ Board of Trustees Review and Decision-;
 6. **Final Administrative Review and Approval.**

...

4. **Appearance ~~b~~Before Committee of the Whole.** In the case where a petition has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of ~~the~~ Development Services, the requirement to appear before the Committee of the Whole ~~and the Board of Trustees prior to final plan preparation and staff review~~ may be waived, therefore permitting such project to proceed directly to **the Board of Trustees.** ~~final plan preparation and staff review.~~ In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to ~~final plan preparation and review, be forwarded to~~ the Board of Trustees, or be remanded to the Plan Commission for further consideration.

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SECTION 5-101.C. PUBLIC MEETING SEQUENCE WITH A PUBLIC HEARING

1. Public Meeting at Plan Commission with a Public Hearing.

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) below on applications identified in Section [5-101.B.2\(a\)](#). The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **~~The Committee of the Whole.~~** The Committee of the Whole, if required by Section [5-101.A.4](#), shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to **the Board of Trustees.** ~~final plan preparation and staff review as per paragraph 5-101.C.1c.~~ If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.
- c. **Board of Trustees.** Upon receipt and review of the recommendation of the Plan Commission or Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
- d. **Village Staff.** Upon receiving approval from the Board of Trustees and prior to the issuance of any permits or occupancies related to the entitlement, Village staff shall review final engineering, site, and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees.

~~**c. Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees. (Amd. Ord. 5221 - 9/18/17)~~

~~**d. Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.~~

~~**e. Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.~~

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SECTION 5-101.K ROLE OF THE DEVELOPMENT SERVICES DEPARTMENT

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4. Review by Development Services Department

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section [5-105](#), if the development requires a special use permit, Section [5-108](#), if the development requires an amendment to the text of these regulations or the Zoning District Map, Section [5-109](#), if the development requires a variance, Section [5-112](#), for development requirements and subdivision review, and/or Section [5-110](#) and [6-209](#), if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development, the preliminary plan, and coordinate the review of the engineering plans associated with the application for development. Preliminary engineering plans shall be approved prior to proceeding to the Plan Commission.
- ~~b. Preliminary Plan Review Process. The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.~~
- ~~c. Preliminary Engineering Review Process. The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.~~
- c. **80% Plan Approval.** Following a recommendation from the Plan Commission or the Committee of the Whole, the Development Services Department will evaluate an 80% plan. An 80% plan is one that is deemed sufficient for Board of Trustees final decision, with no major changes expected. The Development Services Department will oversee the review of the engineering plans related to the development application. Site and engineering plans at the 80% completion stage must receive approval from both the Development Services Department and the Engineering Department before progressing to the Board of Trustees.
- ~~d. Final Plan Review Process. The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.~~
- d. **Ordinances and Agreements.** The Development Services Department shall coordinate the ordinances and agreements for final approval by the Board of Trustees.
- e. **Final Engineering Plan Review Process.** After approval from the Board of Trustees, the Development Services Department shall coordinate the review of the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, and as outlined in the final ordinance or agreement. ~~7. prior to consideration of the final ordinances or agreements by the Board of Trustees.~~
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission, and by the Committee of the Whole, approved by the Board of Trustees, then the applicant

SUBSTANTIVE AMENDMENTS: **MODIFY RESIDENTIAL BEST MANAGEMENT PRACTICES (BMPs)**

AMENDMENT SUMMARY

SECTION 6-201.F. E-1 Estate Residential

SECTION 6-202.F. R-1 Residential

SECTION 6-203.F. R-2 Residential

SECTION 6-203.5.F. R-2A Residential

SECTION 6-204.F. R-3 Residential

SECTION 6-204.5.F. R-3A Residential

SECTION 6-205.F. R-4 Residential

SECTION 6-206.G. RSB Residential and Supporting Business District

Revise maximum lot coverage by removing increased lot coverage allowances through BMPs.

SECTION 6-305.F.2.c. Single-Family Residential Naturalized Landscaping

Remove the Monitoring and Management Plan (M&M Plan) requirements for naturalized landscaping in single-family residential areas.

AMENDMENT EXPLANATION

The goal of these amendments is to mitigate stormwater runoff by establishing maximum lot coverage allowances that are more easily understood by the public and more easily enforced by Village staff, with an objective of setting a maximum coverage percentage and removing the provision of allowing additional lot coverage with the use of Best Management Practices (BMPs).

Per the Land Development Code (LDC), each zoning district has a base lot coverage which can be increased with the use of BMPs such as naturalized landscaping, permeable pavers, and rain barrels. When residents have met the base lot coverage for the zoning district in which they are located, residents opt to utilize BMPs to expand their impervious lot coverage. Tracking the installation and management of BMPs is time-consuming for Development Services staff and the maintenance of the BMPs is tedious for the homeowners. For the increased lot coverage completed without a permit, the Village has the daunting task of retroactively applying BMPs and/or informing the homeowner that some or all of their improvement project must be removed or modified.

Due to the policing and management needs to ensure the BMPs continue to control stormwater runoff, the recommendation is to remove the BMP allowances and establish one maximum lot coverage for each residential zoning district based on the average of the maximum ranges within each zoning district in the existing regulations.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 6-305-F.2.c. SINGLE-FAMILY NATURALIZED LANDSCAPING. Single-family residential properties that include naturalized landscaping areas that exceed ~~twelve inches (12")~~ **12 inches** in height are exempt from the letter of credit requirements detailed in 6-305.E.3.e Letter of Credit, although a Landscape Plan ~~and an abridged Monitoring and Management Plan (M&M Plan) are~~ **is** still required. The following conditions apply to naturalized landscaping on single-family residential properties:

1. A property owner shall apply to the Development Services Department and receive a written approval of the landscape plan prior to the installation of the naturalized landscaping.

i. The application shall include a plat of survey and a site plan of the single-family lot drawn to scale on a sheet not less than ~~eight and one-half inches by eleven inches (8½" inches ×~~ **by 11" inches**), which contains: the location of property lines; location of structures, fences, existing drainage patterns, and paved areas; location of each natural landscaping area; a list by scientific and common name of species intended to be planted and maintained within each area; and the setback distance of each naturalized landscape area that will be located near any property line. Any proposed soil amendments and levels of shade and sunlight should also be included on the plan.

~~2. An M&M Plan for the near- and long-term maintenance of the naturalized landscape area shall be submitted for review and approval.~~

~~i. The Village document, commonly referred to as "Monitoring and Management Plan for Naturalized Vegetation Areas on Single Family Residential Properties", as amended, shall be used as a template for the completion of a single-family residential naturalized landscape Monitoring and Management Plan. Minor edits to this template may be made by the petitioner; however, the final text of the M&M Plan shall be approved by the Development Services Department.~~

3. It shall be permitted to grow native plants that exceed ~~twelve inches (12")~~ **12 inches** in height within a natural landscaping area, including ferns, grasses, sedges, rushes, forbs, shrubs and trees, in lieu of turf grass lawn in designed and managed natural landscape areas.

4. Natural landscaping shall be permitted in rear or side yards only, and setback at a minimum of ~~three (3) feet~~ **3 feet** of any property line. No setback shall be required where the natural landscaping is separated from adjacent lots by fencing or continuous shrub of ~~three (3) feet~~ **3 feet** or more in height, or where the natural landscape area abuts permitted naturalized landscaping on an adjacent lot.

5. Naturalized landscaping may occupy a maximum of ~~thirty percent (30%)~~ **30 percent** of the total existing open space within the side or rear yards of a single-family residential property.

...

8. Upon installation of a naturalized landscape area, the site shall be inspected by a Village inspector or designee to verify compliance with the approved landscape plan ~~and proper maintenance of the natural landscape area.~~ After a successful inspection, the property owner will be provided with a letter from the Village certifying that the naturalized landscape has been inspected and meets the criteria of this Section. ~~Subsequent inspections shall be performed annually by the Village or designee, or as determined by the Development Services Department.~~

9. Permission for single-family residential natural landscaping may be revoked with cause, such as failure of the owners to manage the areas or to respond to notices of creation of a nuisance or violation of the weed control ordinance.

SECTION 6-201. E-1 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed twenty-five (25)~~ **30%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed thirty-five percent (35%).~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

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SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~— a. The base lot coverage allowed by right is not to exceed thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~— b. Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%):~~

~~— i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage:~~

~~— ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage:~~

~~— iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage:~~

~~— iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

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SECTION 6-203. R-2 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

v. Non-residential land uses are allowed up to ~~seventy percent (70%)~~ impervious lot coverage by right.

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SECTION 6-203.5.F. R-2A RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~—a.—~~The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~thirty-five percent (35%)~~ **40%** for the principal structures, pavement, and accessory structures.

~~i.~~ An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~—b.—~~ Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed forty-five percent (45%).

~~—i.—~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~—ii.—~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~—iii.—~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~—iv.—~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

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SECTION 6-204.F. R-3 RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

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SECTION 6-204.5.F. R-3A RESIDENTIAL DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty percent (40%)~~ **45%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty percent (50%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-205.F. R-4 RESIDENTIAL DISTRICT.

...

F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

1. ~~Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria:~~

~~a.~~ The ~~base~~ lot coverage ~~allowed by right~~ is not to exceed ~~forty-five percent (45%)~~ **50%** for the principal structures, pavement, and accessory structures.

i. An additional ~~three percent (3%)~~ impervious lot coverage is allowed for single family homes with side-loaded garages.

ii. For single family attached and multi-family residential uses, ~~sixty percent (60%)~~ **60%** lot coverage is allowed by right.

~~b.~~ ~~Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed fifty-five percent (55%).~~

~~i.~~ For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.

~~ii.~~ For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.

~~iii.~~ For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.

~~iv.~~ All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.

...

SECTION 6-206.G. RSB RESIDENTIAL AND SUPPORTING BUSINESS DISTRICT.

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F. **Lot Coverage.** Lot coverage is the measure of impervious area on a property including the area of the building(s), pavement, stormwater storage, and other impervious surfaces. All areas not included in the impervious lot coverage shall be green space.

~~1. Residential lot coverage regulations are designed to provide a range of impervious lot coverage, when demonstrating compliance with performance criteria.~~

~~a.—The base lot coverage allowed by right is not to exceed sixty-five percent (65%)~~ **70%** for the principal structures, pavement, and accessory structures.

~~b.—Additional impervious lot coverage may be earned through permanent installation of Best Management Practices (BMP), as approved by Development Services. Total lot coverage shall not exceed seventy-five percent (75%).~~

~~i. For each square foot of permeable pavers installed in lieu of impervious paving, earn an additional 0.5 sf of lot coverage.~~

~~ii. For each square foot of naturalized landscaping installed in lieu of turf grass, earn an additional 1.0 sf of lot coverage.~~

~~iii. For each gallon of water detained in a rain barrel, dry well, or rain garden earn an additional 1.5 sf of lot coverage.~~

~~iv. All BMP must meet the installation and performance requirements of the Code; must be documented on a site plan; and must be maintained by the property owner.~~

...

TECHNICAL AMENDMENTS: CLARIFY DRIVEWAY AND DRIVEWAY APRON REGULATIONS

AMENDMENT SUMMARY

Section 3-4-2-6

Clarify the construction requirements for driveways and driveway aprons.

Section 6-306.E.8

Clarify driveway and driveway apron dimensions to be consistent with the information regarding driveways and driveway aprons in the Village Code.

Section 6-406.B.6

Clarify driveway and driveway apron requirements by referencing the Village Code.

AMENDMENT EXPLANATION

The goal of these amendment is to ensure clear communication and consistent application of the driveway and driveway apron regulations, with an objective of describing the dimensions in the Land Development Code (LDC) and having other Village Code and LDC sections recognize other sections by reference.

This substantive amendment will not require existing driveways to change. The Village Code and the LDC have the similar dimensions; however, the Village Code requirements are more descriptive and have the potential to be interpreted differently than the LDC.

The proposed amendments will clarify the appropriate dimensions for the public and Village staff. The Village Code will retain the specifications such as base layers, pavement thickness, etc., while the LDC will retain the zoning-related dimensions such as driveway widths and setbacks.

Due to the inconsistent descriptions of driveway and driveway apron requirements, it is recommended to have one location for each regulation type with references in other sections of the code, as-needed.

Please note that this amendment includes a change in the Village Code regulations in addition to the LDC. In addition, a follow-up to these amendments may occur in the future after Engineering and Planning staff review the specifications in the Village Code and LDC, and consider increasing the maximum 2-car garage driveway width from 20' to 21'.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 3-4-2-6 CONSTRUCTION SPECIFICATION AND REQUIREMENTS

...

Widths: ~~The maximum width for driveways for single family residences including circle drives shall be ten feet (10') at the sidewalk line and sixteen feet (16') at the curb; provided, that where a two-car or three-car garage is located within thirty feet (30') of the property line, the driveway shall not exceed twenty feet (20') at the sidewalk line or twenty-six feet (26') at the curb or thirty (30) feet at the sidewalk line and thirty-six (36) feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property. The maximum width for driveways for all other uses shall be as approved by the Board of Trustees upon recommendation by the Department of Engineering.~~ The maximum width shall be in accordance with Section 6-406.B.

...

Driveway Aprons: ~~Single family residential driveway aprons shall have a maximum width of ten (10) feet for one-car driveways, and a maximum width of twenty (20) feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a width three (3) feet greater at the curb line.~~ All residential aprons shall have a minimum concrete thickness of six (6) inches and a granular bedding base of two (2) inches. Multi-family development business, office research, and industrial district driveway aprons shall be constructed with ten (10) foot radius returns unless otherwise required by the Department of Engineering.

...

SECTION 6-306.E.8 OFF-STREET PARKING AND LOADING REQUIREMENTS

...

- a. Passenger Automobile parking is not permitted in any required side setback in a residential district. Passenger automobile parking is permitted in the driveway of the required corner side yard setback with a ~~twenty (20)~~ 20-foot minimum driveway length, excluding right-of-way and sidewalks. No open off-street parking serving a residential use in a non-required side setback shall be located nearer than ~~five (5)~~ 5 feet to a principal residential building. (Ord.2959-11/18/96)

...

SECTION 6-406.B. SIDEWALKS, DRIVEWAYS, AND PARKING LOTS

...

6. Widths and Lengths. ~~Single-family residential driveways and driveway aprons shall have a maximum width of twenty (20) feet for one (1) car garages, twenty-six (26) feet for two (2) car garages, and thirty-six (36) feet for three (3) car garages.~~ **The maximum width for driveways for single family residences including circle drives shall be 10 feet at the sidewalk line and 16 feet at the curb; provided, that where a two-car or three-car garage is located within 30 feet of the property line, the driveway shall not exceed 20 feet at the sidewalk line or 26 feet at the curb, or 30 feet at the sidewalk line and 36 feet at the curb, respectively. No driveway shall encroach upon any portion of the parkway in front of the adjoining property.** The maximum width of a driveway is applicable to the entire driveway length between the building line and sidewalk. **Single family residential driveway aprons shall have a maximum width of ten feet 10 feet for one-car driveways, a maximum width of 20 feet for two-car driveways, and a maximum width of 30 feet for three car driveways, measured at the sidewalk and shall flare to a maximum width of 3 feet to either side at the curb line.** ~~The maximum width of a driveway apron is applicable to the entire driveway length between the sidewalk and the street. The maximum width for driveway lane for single family residences shall be forty (40) percent of the lot width up to thirty-six (36) feet, applicable to the entire driveway length between the building line and curb line. The maximum width for circle driveway lane shall be twenty (20) feet, applicable to the entire driveway length between the building line and curb line.~~ The minimum driveway length shall be ~~eighteen (18)~~ **18** feet, excluding right-of-way and sidewalks. No driveway shall encroach upon any portion of the parkway in front of the adjoining parkway. **Driveways and driveway aprons also must adhere to construction specifications and requirements in section 3-4-2-6 of the Village Code.** The maximum width for driveways **and driveway aprons** for all other uses shall be as approved by the Board of Trustees upon recommendation of the Engineering Department. (Ord. 2959 – 11/18/96; Amd. Ord. 3281 – 8/16/99; Amd. Ord. 5061 1/26/16; Amd. Ord. 5126 9/19/16; Amd. Ord. 5653 - 11/1/21)

...

SUBSTANTIVE AMENDMENT: ADD A NEW PERMITTED USE TO THE OPEN SPACE DISTRICT

AMENDMENT SUMMARY

SECTION 2-102. Definitions

Add and define “civic and fraternal non-profit organization”.

SECTION 6-213. Open Space District

Amend language to add new permitted uses to the Open Space (OS) zoning district.

AMENDMENT EXPLANATION

The goal of this amendment is allow other recreational opportunities in the Land Development Code (LDC), with an objective to add an additional permitted use to the OS district that supports recreation and park activities.

The proposed amendment seeks to allow for *civic and fraternal non-profit organization* as a permitted use in the OS district. The Comprehensive Plan emphasizes that gathering spaces and recreational areas are appropriate for the OS district. Civic and fraternal organizations play a significant role in enhancing and fostering community engagement, and align with the core objectives of the OS district. It is important to note that this amendment is designed to accommodate civic and fraternal non-profit organizations, without specifying any particular organization, to maintain inclusivity and flexibility.

Due to community-focused and non-profit organizations contributing to the well-being of the community and its residents; promoting community engagement, social gatherings, and recreational activities; and catering to the needs of a diverse range of community-focused initiatives, it is recommended a *civic and fraternal non-profit organization* land use be added as a permitted use in the OS district.

PLAN COMMISSION RECOMMENDATION

As presented.

PROPOSED AMENDMENT TEXT

SECTION 2-102. Definitions.

...

Civic and Fraternal Non-Profit Organization means any local community affairs entity or group of people organized for a common purpose that is not maintained for the purpose of making a profit.

...

SECTION 6-213. OPEN SPACE DISTRICT

A. **Purpose.** The purpose of the Open Space District is to protect the Village's parks, natural areas, retention ponds, detention basins, **civic and fraternal non-profit organizations**, and open space corridor connections. It is also to ensure permanent access to outdoor recreation, ~~and~~ natural areas, **and other recreational opportunities** for residents in all neighborhoods and to enhance the value of nearby properties. (Amd. Ord. 5822 - 7/17/23)

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

1. Public recreational facilities including playgrounds, public swimming pools, playing fields, trails, sports activities, outdoor amphitheaters, camping areas, picnicking areas, boating areas, fishing activities, golf courses, **civic and fraternal non-profit organizations**, and accessory uses such as related parking, washrooms, storage, etc.

...

C. **Prohibited Uses.** The following uses are prohibited as they would conflict with the purpose of protecting parks and natural areas:

1. Any private development of structures or facilities; the exception is cemetery and ComEd facilities as stated above;

2. Any public facilities unrelated to the operation or protection of parks, natural areas, **civic and fraternal non-profit organizations for the benefit of the public**, and retention/detention facilities.

...

REQUEST FOR ACTION REPORT

File Number: **2023-0979**
Orig. Department: **Recreation and Parks Department**
File Name: **Schussler Park All-Inclusive Playground Concept**

BACKGROUND:

On May 1, 2023, the Village entered into a Schussler Park sponsorship agreement with Michael Schofield III, Kendall Coyne Schofield and the Kendall and Michael Schofield Family Foundation. This includes naming rights of the Schussler Park artificial turf sports fields, the purchase and installation of an athletic scoreboard and partnering with the Village to raise funds for the purchase and installation of an all-inclusive play environment within Schussler Park.

The agreement includes partnering with the Village to raise funds for the purchase and installation of the all-inclusive playground at Schussler Park.

The Village Board approved entering into a contract with Wight & Co. June 19, 2023 to develop a conceptual plan to develop the playground. This included a project kick-off meeting which occurred on August 9, 2023 with Village staff, Michael Schofield and Kendal Coyne Schofield to discuss the goals and objectives of the project.

On September 22, 2023, Wight presented and reviewed concepts from four manufacturers (Burke, Kompan, Landscape Structures/NuToys, Imagine Nation/Playworld) with Village staff, Michael Schofield and Kendal Coyne Schofield to gather input to establish the overall vision for the park and help guide the design team as in the development of conceptual options for the playground and interpretive elements on the playground structure.

In addition to providing input, the working group narrowed the playground equipment manufacturers to Burke and Kompan noting each's concept best achieved the objective of an interactive, inclusive play environment utilizing a variety of fun, interactive and stimulating playground equipment for children of all ability levels. Additionally, each included a calming feature for individuals in need of an area with low sensory stimulation.

On October 6, 2023, Wight presented refined concepts from Burke and Kompan to Village staff, Michael Schofield and Kendal Coyne Schofield.

The group believes the quality of the equipment, variety of experiences, themes, colors, dream big and donor walls create a superior play experience for individuals of all abilities. As such, Burke was selected to provide a final concept incorporating additional input provided.

In effort to solicit input from the general public, postcards were mailed to 823 homes within 1500 feet of Schussler Park inviting residents to participate in the October 19, 2023 all-inclusive playground engagement session. Additionally, social media was utilized to publicize and invite residents to the presentation.

Village staff, along with Wight staff, Michael Schofield and Kendall Coyne Schofield, and Margaret Chaidez, ADA Coordinator and Project Manager for Burke, hosted the public engagement session at the Civic Center. The presentation included the overall concept noting the playgrounds individual features and overall goal to provide a comprehensive play environment for all ages and abilities.

Staff, along with Burke's ADA Coordinator, presented the concept (attached) to the Recreation Advisory Board (RAB) on November 14, 2023. The RAB engaged in a discussion regarding the overall size of the playground as compared to the former playground, the overall cost, the play value for different age groups, the cost in comparison to other ADA playgrounds and shaded seating areas. The RAB tabled the motion requesting two additional swings, and a two to five-year-old slide be added, as well as details related to the overall conversation.

A revised concept (attached), was presented to the RAB on December 5, 2023. The former playground was 9,945 sq. ft., while the new playground would be 6,391 sq. ft. This is primarily due to the equipment spacing on the previous playground.

The proposed playground has a capacity of 284 users, serving children 5 - 12 yrs. of age.

Changes from the previous design include:

- Expanding the playground footprint on the south and east sides to fit all equipment.
- Adding 2 swings
- Adding a 2 - 5 yr. old slide
- Replacing the Hide the Numbers Panel with the stairs up to the Luge Slide
- Moving the Concession Stand over accordingly
- Moving the single post swings to the bottom right corner and the Volito at an angle in the bottom left corner
- Removing one table and shade structure from quiet area

The playground is projected to cost \$996,400 including contracting and general requirements of 8%, \$54,300; a 6% 2-year escalation of \$88,000 and soft costs of \$174,800.

Comparable all-inclusive playgrounds include:

2010 Huntely Park District's Deicke Park: 30,000 sq. ft., with multiple play zones; \$1,000,000.

2011 Darien Park District's Community Park: 17,000 sq. ft over two areas; \$199,000.

2012 Village of Orland Park's Kevin Hertz Playground: 10,797; \$355,000.

2015 Wheaton Park District's Sensory Garden: 4-acre park; \$2,500,000

2016 Elmhurst Park District's Butterfield Park: 13,000 sq. ft.; \$592,420

2018 Oak Brook Park District's Sandlot: 4,400 sq. ft.; \$1,000,000

2020 Bartlett Park District's Free to Be Me Playground: 4,300 sq. ft.; \$800,000

2021 New Lenox Park District's Leigh Creek South: 6,600 sq. ft.; \$1,000,000

2023 Mundelein Park & Recreation District: size n/a; \$1,200,000

In 2024, \$250,000 is being planned in the Natural Resources Facilities (NRF) Division operational budget for the playground. The remaining \$746,400 will become the target fundraising goal in which Village staff, Michael Schofield, Kendal Coyne Schofield, the Schofield Foundation and Burke will partner to raise.

The final playground design and scope will be dependent upon the overall total funds raised through the campaign fundraising effort.

BUDGET IMPACT:

The projected cost of the all-inclusive playground as presented is projected to be \$1,424,900. In 2024, \$250,000 is being planned in the Natural Resources Facilities (NRF) Division. Additionally, the pavilion and half basketball court will be funded from NRF and Recreation and Parks operational expenses.

In 2024, \$250,000 is being planned in the Natural Resources Facilities (NRF) Division. Additionally, the pavilion and half basketball court will be fund from NRF and Recreation and Parks operational expenses.

REQUESTED ACTION:

I move to recommend to the Village Board to approve the Schussler Park All-Inclusive Playground concept as presented. The final playground design and scope will be dependent upon the overall total funds raised through the campaign fundraising effort.

SCHÜSSLER PARK INCLUSIVE PLAYGROUND

PROPOSAL #: 129-174171-3

COLOR KEY	
●	BLACK
●	RED
●	YELLOW
●	GREEN
●	LTB
●	BLU
●	BLK
●	BLU/WHITE
●	YELLOW/BLACK
●	LTB/BLACK



PLAY ILLINOIS
PARK & PLAYGROUND SOLUTIONS

3D Designer: Albandria



MOVANT™



FREEDOM SWING



INCLUSIVE ORBIT



CRUISER™



VOLITO INCLUSIVE SWING



SERENITY SPOT™



INNOVA™ ROCKER

Burke
PLAY THAT MOVES YOU.
BC@BURKE.COM • 800.256.1250

SCHUSSLER PARK INCLUSIVE PLAYGROUND

PROPOSAL #: 129-174171-6



COLOR KEY	
●	BLACK
●	RED
●	YELLOW
●	LINE
●	SKY
●	BLUE
⊕	RED/WHITE
⊕	YELLOW/BLACK
⊕	LINE/BLACK

PLAY
ILLINOIS
PARK & PLAYGROUND SOLUTIONS

3D Designer: Alexandria



MOVMT™



FREEDOM SWING



INCLUSIVE ORBIT



CRUISER™



VOLITO INCLUSIVE SWING



SERENITY SPOT™



INNOVA™ ROCKER

Project: Schussler All-Inclusive Playground
 Client: Village of Orland Park
 Project No.: 230159
 Date: November 28, 2023



CONCEPT Cost Opinion - PLAYGROUND

SECTION	DESCRIPTION	QUANTITY	UNIT	UNIT COST	EXTENDED COST	SUBTOTAL
116800 Play Field Equipment and Structures						
	Playground Equipment	1	LS	\$ 292,923	\$ 292,930	
	Installation of Playground Equipment	1	50%	\$ 146,462	\$ 146,470	
					Section Subtotal:	\$ 439,400
311000 Site Clearing						
	silt fence - Playground	350	LF	\$ 5	\$ 1,750	
	temporary construction fence - Playground	550	LF	\$ 6	\$ 3,300	
	inlet protection - Playground	1	EA	\$ 400	\$ 400	
	tree protection - Playground	210	LF	\$ 5	\$ 1,050	
					Section Subtotal:	\$ 6,500
312000 Earth Moving						
	balanced earthwork - Playground	370	CY	\$ 30	\$ 11,100	
					Section Subtotal:	\$ 11,100
321313 Concrete Paving and Curbs						
	PCC Sidewalk and Stone Base - Playground	2,880	SF	\$ 15	\$ 43,200	
	Thickened Concrete Edge	315	LF	\$ 50	\$ 15,750	
					Section Subtotal:	\$ 58,950
321816.13 Playground Protective Surfacing						
	play surfacing - PIP	6,085	SF	\$ 22	\$ 133,870	
					Section Subtotal:	\$ 133,870
323300 Site Furnishings						
	Bench	4	EA	\$ 1,500	\$ 6,000	
	Installation of Site Furnishings	1	35%	\$ 2,100	\$ 2,100	
					Section Subtotal:	\$ 8,100
329200 Turf and Grasses						
	Seed and Blanket - Playground	175	SY	\$ 3	\$ 530	
					Section Subtotal:	\$ 530

329300	Plants						
	Shade Tree - 3" Caliper Playground	9	EA	\$	750	\$	6,750
						Section Subtotal:	\$ 6,750

334200	Storm Utility Drainage Piping						
	6" PVC	73	LF	\$	75	\$	5,480
	Connect to Existing Storm Structure	1	LS	\$	1,500	\$	1,500
						Section Subtotal:	\$ 6,980

334600	Sub drainage						
	Cleanout	1	EA	\$	1,500	\$	1,500
	6" Underdrain (pipe, aggregate, filter fabric incidental)	75	LF	\$	75	\$	5,630
						Section Subtotal:	\$ 7,130

Construction Cost Subtotals: \$ 679,300

	Contracting and General Requirements						
	contracting and general requirements	1	LS		8%		\$54,300
						Contracting and General Requirements Subtotals:	\$ 54,300

	Escalation						
	Escalation per year	2	YEAR		6%	\$	88,032
						Subtotal:	\$ 88,000

Total Hard Construction Costs: \$ 821,600

	Soft Costs						
	design contingency	1	LS		5%	\$	41,100
	construction contingency	1	LS		5%	\$	43,100
	A/E professional fees	1	LS		10%	\$	90,600
						Total Soft Costs:	\$ 174,800

Construction Cost Total: \$ 996,400

DATE: December 18,
2023

REQUEST FOR ACTION REPORT

File Number: **2023-0990**
Orig. Department: **Village Manager**
File Name: **Strategic Alternatives**

BACKGROUND:

This past year, a lot of progress has been made with regard to establishing strategic direction for the community and organization. This includes the approval of the Capital Improvement Plan, Utility Rate Study and Five-Year Financial Plan as well as adopting a Mission Statement, Vision Statement, and Core Values.

Additionally, during the past few months, the Village Board has met with department directors to develop a S.W.O.T Analysis for their respective departments as well as begin reviewing strategic alternatives in order to draft a Strategic Plan. Utilizing the information gathered during this due diligence process, a Strategic Plan Survey was created to gauge resident feedback for important elements of the Strategic Plan. Ultimately, all of this due diligence will result in the drafting of a Strategic Plan for the Village that will set the course of the community and organization for many years to come.

The next step in this process is to review strategic alternatives (see attached draft). These strategic alternatives, which were gleaned from earlier strategic plan discussions at the department and Board level, are discussion points for the Village Board to determine if they warrant being incorporated into the strategic plan. During Committee of the Whole meetings, the Village Board will review and deliberate on each of the strategic alternatives. Based on the consensus of the Board during these deliberations, these strategic alternatives will either be dropped, require further analysis, and/or be incorporated into the Strategic Plan.

It is anticipated that deliberations on strategic alternatives will continue through at least the January 15, 2024 Committee of the Whole meeting. We anticipate the final Strategic Plan Survey results will be available on January 12, 2024.

Once the Strategic Plan is formally adopted, an important element of tracking progress will be to ensure that proper Key Performance Indicators (KPI) are incorporated in the Monthly Reports. These KPIs will be agreed upon by the Village Board.

BUDGET IMPACT:

REQUESTED ACTION:

This is for discussion only at this time.



MEMORANDUM

Date: December 11, 2023
To: Mayor and Village Board
Cc: Department Directors
From: George Koczwara, Village Manager
Subject: Strategic Alternatives

This past year, a lot of progress has been made with regard to establishing strategic direction for the community and organization. This includes the approval of the [Capital Improvement Plan and Five-Year Financial Plan](#), [Utility Rate Study](#), as well as adopting a [Mission Statement, Vision Statement, and Core Values](#).

Additionally, during the past few months, the Village Board has met with department directors to develop a S.W.O.T Analysis for their respective departments as well as begin reviewing strategic alternatives in order to draft a Strategic Plan. Utilizing the information gathered during this due diligence process, a Strategic Plan Survey has been created that will seek to gauge resident feedback for important elements of the Strategic Plan. [Here is a link](#) to the timeline for the Strategic Plan Survey.

Ultimately, all of this due diligence will result in the drafting of a Strategic Plan for the Village that will set the course of the community and organization for many years to come.

The next step in this process is to review strategic alternatives. These strategic alternatives, which were gleaned from earlier strategic plan discussions at the department and board level, are discussion points for the Village Board to determine if they warrant being incorporated into the strategic plan. During upcoming Committee of the Whole meetings, the Village Board will review and deliberate on each of the below strategic alternatives. Based on the consensus of the Board during these deliberations, these strategic alternatives will either be dropped, require further analysis, and/or be incorporated into the Strategic Plan ([here is a link to a sample format](#)). Once the Strategic Plan is formally adopted, an important element of tracking progress will be to ensure that proper Key Performance Indicators (KPI) are incorporated in the Monthly Reports. These KPIs will be agreed upon by the Village Board.

It is anticipated that deliberations on strategic alternatives will begin at the December 18, 2023 Committee of the Whole meeting and will finish once the final Strategic Plan Survey results have been provided. Since the final report is anticipated on January 12, 2024, deliberations would continue through at least the January 15, 2024 Committee of the Whole meeting. As a preview, [here is a link](#) to the unweighted preliminary results for the random Strategic Plan Survey ([here is a link](#) to the .xls version of the same document).

If anyone has any other strategic alternatives that they would like added to this list, please let me know and I will incorporate them into an updated memo.

Strategic Alternatives

Public Works

- **PLAYGROUND CONSOLIDATION:** Explore a reduction of playgrounds by potentially consolidating playgrounds that are within 0.5 miles of each other. The alternative would be to transition certain playgrounds into green spaces geared toward all ages (i.e. Country Club Estate Park, Wedgewood Estates, Perminus Park, Wedgewood Commons Park and Wlodarski Park). Foregoing the replacement of each of these playgrounds saves approximately \$150,000.
- **BIKE PATH PRIORITIZATION:** Determine priority for bike paths in the Village. Approximately 30% of Village bike paths are not used often, but still require maintenance. This maintenance includes overgrowth of vegetation, tree hazards, blocked signage, damaged fencing, poor grade slopes by paths, and damaged pavement due to poor installation procedures. Path standards have been inconsistent over the years with width, stoning, and thickness that contribute to the need to redo work in the near future. Currently, \$175,000 is budgeted each year to maintain paths and \$175,000 for parking lots.
- **PARKWAY RESPONSIBILITIES:** Determine if homeowners should bear full responsibility of parkways. Because it is a shared space, this area is a common compliant and misunderstood area of responsibility.
 - Trees – Currently, the trees are to be maintained to 8’ above sidewalk and 13’ above street. Many homeowners do not maintain the trees. If it is hazard, Public Works will cut the hazard down, remove dead trees, and plant new trees. Make this completely the homeowner’s responsibility with a standard by the Village.
 - Irrigation System- Irrigations system are allowed in parkway but the Village repairs them if there are water main breaks and/or sidewalk repairs. Enforce that all irrigation systems in parkway are not allowed and at risk of homeowner if work has to occur.
 - Sidewalks - Currently ordinance states that 50/50 cost sharing with homeowner is in place but due to administrative workload to get the other 50%, repairs are paid all by the Village. By making the sidewalks the homeowner’s responsibility, it would shift responsibility on the homeowner and compliance would be through Municipal Violations.
- **CAPITAL ASSESSMENTS:** A number of capital assessments were completed during the past few years. In order to maintain the progress, strategic positions on the following will be undertaken:
 - Road conditions
 - Park conditions
 - Pond conditions
- **MULTI-YEAR ROAD CONTRACT:** The Five-Year Financial Plan included a fully funded five-year capital improvement program. In order to leverage economies of scale, the Village will pursue a multi-year contract award for road improvement program portion of the Five-Year Financial Plan.

Engineering

- **ROADWAY GRANTS:** During the past few years, the Village has successfully sought and been awarded a number of capital improvement grants. One reason for this success is the investment the Village has made toward Phase 1 engineering. The Village will maintain its commitment to Phase 1 engineering costs in order to continue to pursue roadway improvement grants.
- **NEW I-80 INTERCHANGE:** In order to relieve the traffic burden at the LaGrange Road and Interstate 80 interchange, the Village will review the feasibility of an additional I-80 interchange at either Wolf Road or Will Cook Road.

Recreation & Parks

- **PUBLIC/PRIVATE PARKNERSHIPS:** Explore revenue generation opportunities through partnership. These opportunities could include naming rights of fields, advertising on fences at fields or pool. The funds would be used for maintenance of that location, such as new lighting and pool.
- **EVENT COST RECOVERY:** With the anticipated completion of the Centennial Park West facility in 2024, review options for parking fees to help offset costs of events. In addition, review feasibility of implementing a fee for entry to the Taste of Orland.
- **LONG-TERM CENTENNIAL PARK PLAN:** The Five-Year Financial Plan that was approved in 2023 included a number of park and field enhancements including Centennial Park West, Schussler Park, and Duggan Park. The next major park and field enhancement will incorporate improvements to Centennial Park after the completion of the current Five-Year Financial Plan. In order to start planning for this endeavor, a long-term Centennial Park Plan will be undertaken.
- **CENTENNIAL PARK AQUATIC CENTER (CPAC) MASTER PLAN:** Review options for replacing sand courts at CPAC with splash pad. Analyze feasibility of enclosing CPAC for year-round use.

Development Services

- **ECONOMIC DEVELOPMENT INCENTIVES:** Review the [Village's Economic Development Incentive Policy](#) to determine if anything should be added or changed.
- **FORMALIZE TIF POLICY:** The purpose of this Policy would be to provide guidelines for the Village to offer Tax Increment Financing Assistance for development activities in potential Tax Increment Financing Districts. [Here is a link to a sample document.](#)
- **STRATEGIC ANNEXATION:** In 2021, the Village undertook a strategic annexation project whereby the Village identified properties within and adjacent to the Village corporate limits that are eligible for unilateral annexation by the Village. A total of 213 parcels within 47 areas were identified as being eligible for unilateral annexation to the Village of Orland Park. The size of the areas range from ½ acre to 42.5 acres. The vast majority of the identified properties are residential. Since that time, the Village has encouraged property owners to voluntarily annex. This project will continue.

Police

- **S.W.A.T. TEAM ANALYSIS:** Complete an analysis of long-term options for the Police Department's S.W.A.T. response. Currently, the Village is a member of the South Suburban Emergency Response Team which is a multi-jurisdictional emergency response team currently comprised of over thirty police departments in the south suburbs of Chicago. With the new Police Department Training Center scheduled to be completed in 2025, the analysis will review options for S.W.A.T. response which may include maintaining the current partnership with the South Suburban Emergency Response Team or potentially move to a self-sufficiency model.

Finance

- **MAINTAINING BALANCED CAPITAL PLAN:** The Village utilizes two forward looking documents to ensure that the Village continues to maintain its financial health while fulfilling its mission: a Capital Improvement Plan (CIP) and a Five-Year Financial Plan. In 2023, the Village adopted a fully-funded CIP and Five-Year Financial Plan. The Village will maintain a Capital Improvement Plan and the Five-Year Financial Plan in order to ensure that the Village systematically proceeds with continuing to provide first class public services. As part of this effort, the Village will pursue pay-as-you-go funding for certain capital improvements, including the establishment of a Capital Improvement Renewal Fund.
- **CREDIT CARD FEE BURDEN:** Because of the increased use of electronic payments, more and more businesses have implemented credit card surcharges as a way to recover some of the cost of payment processing. The Village will review the feasibility of implementing a credit card surcharge.
- **DEPARTMENT/PROGRAM SUBSIDY POLICY:** Implement a [Department/Program Subsidy Policy](#) that will serve as a management tool for establishing, implementing and evaluating various fees and revenue options. This will include establishing tax subsidy percentages for Departments and Programs as well as establishing a consistent policy for resident versus nonresidents rates.
- **SOLAR AS A REVENUE GENERATOR:** As more municipalities open up their jurisdictions to solar development, many find that these projects deliver significant economic benefits in addition to the clean, renewable power these energy systems produce. [Here is a link](#) to a brief discussing some of the revenue generation mechanism associated with solar development and how local governments have leveraged them to their fiscal benefit. [Here is a link](#) to a brief discussing the ability of local governments to leverage elements of the 2022 Inflation Reduction Act.
- **ELECTRIC VEHICLE FEES TO REPLACE LOST GAS TAX REVENUE:** More than 30 states have adopted Electric Vehicle (EV) fees to replace lost gas tax revenue. Gas tax revenues are falling, but electric vehicles still put wear and tear on roads which is why so many states have adopted EV fees. The Village will explore the ability to enact local EV fees for this reason.
- **CONTINUE REVIEWING OPTIONS FOR EFFECTIVE OUTSOURCING:** For the past few years, the Village has initiated a number of outsourcing methods in an attempt to reduce costs while continuing to maintain high quality services. The Village will continue in these endeavors.

Communications & Marketing

- **VILLAGE FLAG REDESIGN:** An effort will be undertaken to redesign the Village Flag in order to:
 - Incorporate Village history (tell the story of the place it represents).
 - Be easily recognizable at a distance.
 - Be relatively simple.
 - Be one that residents would want to purchase and fly themselves.

Village Manager

- **INTERGOVERNMENTAL COOPERATION:** Benefits of good intergovernmental cooperation include cost savings, addressing regional issues, identification of issues early, consistency of goals, objectives, plans, policies, and actions, predictability, understanding, trust, and service to citizens.
- **VILLAGE-WIDE OVERTIME ANALYSIS:** Complete an analysis of overtime costs to determine whether the Village could better control personnel costs. Overtime allows employers to quickly respond to short-term variations in workload or staffing while only having to pay for the time needed. However, an overtime-dependent workforce could lead to higher absenteeism and lower productivity. Although high levels of overtime may be tolerable for short durations, long-term overtime may be harmful. A few options to consider include:
 - Cutting staffing at events.
 - Outsourced contractor could support the events because their schedules could be assigned for the weekend.
 - Installing turf fields would reduce raking and striping hours of staff, eliminate irrigation issues, and save water/fertilization. Maintenance would only be for mowing and striping of outfields and garbage duties during events. It would have additional benefit by making the fields destination for tournaments due to less event rain cancellations.