



VILLAGE OF ORLAND PARK

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

Meeting Agenda

Committee of the Whole

Village President Keith Pekau

Village Clerk John C. Mehalek

*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Daniel T. Calandriello,
William R. Healy, Cynthia Nelson Katsenes, and Michael R. Milani*

Monday, December 16, 2019

6:00 PM

Village Hall

A. CALL TO ORDER/ROLL CALL

B. APPROVAL OF MINUTES

[2019-0899](#) Approval of the December 2, 2019, Committee of the Whole Minutes

Attachments: [Draft Minutes](#)

C. ITEMS FOR SEPARATE ACTION

1. [2019-0901](#) John Humphrey Complex Renovation Update
2. [2019-0910](#) Centennial Park West Events and Walks
3. [2019-0880](#) 2020 Land Development Code Amendments I

Attachments: [2020 LDC I Amendment Summary](#)
[2020 LDC I Amendment Report Final](#)
[Exhibit A - Chart 5-101.A\(A\)](#)
[Exhibit B - Section 6-307 Signs - Proposed Amendments 11.25.2019](#)
[Exhibit C - Table 6-302.C.1 \(A\) Attached Accessory Structures](#)

4. [2019-0892](#) Vintage Crossings Drainage
5. [2019-0925](#) Agenda Initiative - Introduction of a Resolution requesting the Federal Communications Commission (FCC) and the Illinois Attorney General to enforce the laws regarding robocalls

Attachments: [Trustee Healy Initiative Request 12-12-19](#)

D. NON-SCHEDULED CITIZENS & VISITORS

E. ADJOURNMENT

DATE: December 16,
2019

REQUEST FOR ACTION REPORT

File Number:	2019-0899
Orig. Department:	Village Clerk
File Name:	Approval of the December 2, 2019, 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 2, 2019.

VILLAGE OF ORLAND PARK

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Orland Park, IL 60462
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Meeting Minutes

Monday, December 2, 2019

6:00 PM

Village Hall

Committee of the Whole

Village President Keith Pekau

Village Clerk John C. Mehalek

*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Daniel T. Calandriello,
William R. Healy, Cynthia Nelson Katsenes, and Michael R. Milani*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:01 P.M.

Present: 7 - President Pekau; Village Clerk Mehalek; Trustee Fenton; Trustee Dodge; Trustee Healy; Trustee Nelson Katsenes and Trustee Milani

Absent: 1 - Trustee Calandriello

APPROVAL OF MINUTES

ITEMS FOR SEPARATE ACTION

2019-0807 Fairway Estates Stage 4 Drainage and Water Main Improvements GMP - Proposal

Interim Public Works Director Rich Rittenbacher reported that the Fairway Estates subdivision was developed in phases starting in the late 1950's through the early 1970's. The water mains were installed using cast iron pipes (current standard is ductile iron pipe with a polyvinyl wrap). Over the 50+ years of service, the water mains have corroded on the exterior of the pipe and have caused numerous breaks. Public Works is systematically replacing and/or lining these older cast iron pipes throughout the village. In addition, the Fairway Estates subdivision area homes are prime candidates for remodeling, building additions and upgrades which will require larger water service sizes. This area is best suited for water main replacement instead of lining, allowing the opportunity to increase pipe diameter to improve flow characteristics and upgrade water services.

Christopher B. Burke Engineering, Ltd. (CBBEL) was approved to initiate phase 1 engineering for the Fairway Estates (Maycliff South Stage 2) Storm Water Improvement Project in November, 2014. In August, 2017 the Board approved a Guaranteed Maximum Price (GMP) with Burke, LLC of Rosemont, Illinois for the storm water piping and first phase of water main replacement. In 2018 the Board once again approved a GMP utilizing Burke, LLC for Fairway Stage 2 water main replacement with additional storm improvements. Burke, LLC, working with their underground contractor was able to hold their pricing by continuing the work through the winter months. This was an unconventional approach for the village as these projects have always been performed during the regular construction season during early summer and fall months. We discovered many benefits to performing these projects during the winter. We received fewer noise and dust complaints, the contractor assisted with snow removal efforts, concrete and asphalt restorations were completed early before other construction projects started within the village and spring weather assisted with trench settling and sod establishment. In December, 2018 the Board approved Fairway Stage 3 water main replacement and storm improvements that were completed in early March, 2019.

To expedite the project in the Fairway Stage 4 Water Main improvement area and

take advantage of current pricing, the GMP (design/build) delivery method is once again recommended. The traditional design/bid/build option would require significant water main engineering delaying construction and adding to the cost. Burke, LLC and their subcontractors have become familiar with village standards and expectations. The underground contractor for the water main replacement project has committed to once again holding their price if work is able to begin as early as February 1, 2020, providing an expected savings.

The engineers estimated the cost of going out to bid would be \$4,011,000.00 with no cost-sharing to the village. Utilizing GMP pricing would result in a cost saving's of \$522,000.

Similar to previous water and sewer utility projects, roadway improvements are not a part of the proposed GMP. Roadway improvements will be part of the Neighborhood Road Improvement Program.

Village staff requested that Burke, LLC of Rosemont, Illinois provide a proposal to consider the GMP option. The proposal is attached to the committee packet and reflects a cost of \$3,489,000.00 (\$3,389,000.00 plus \$100,000.00 for owners' allowance) for the delivery of the project and will include shared savings with the village if the project is completed under budget. If the project comes in over budget, Burke, LLC would be obligated to cover the additional cost, with one exception: if the soils are determined to be contaminated, a change order would be negotiated. Included as part of this proposal are provisions for adding road drainage and backyard drainage improvements.

On December 2, 2019 this item was reviewed by the Committee of the Whole and recommended for approval and referred to the Village Board of Trustees for consideration.

Trustee Healy and Mayor Pekau had questions regarding this matter. (refer to audio file)

Interim Director Rittenbacher responded to their questions. (refer to audio file)

I move to recommend waiving the bid process;

And

Approve accepting the proposal from Burke, LLC of Rosemont, Illinois for the Fairway Estates Stage 4 Drainage and Water Main Improvement Project with a Guaranteed Maximum Price (GMP) of \$3,489,000.00.

A motion was made by Trustee Fenton, seconded by Trustee Healy, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 7 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

Absent: 1 - Trustee Calandriello

AGENDA INITIATIVES

ADJOURNMENT: 6:05 P.M.

A motion was made by Trustee Fenton, seconded by Trustee Healy, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 7 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

Absent: 1 - Trustee Calandriello

2019-0898 Audio Recording for the December 2, 2019 Committee of the Whole Meeting

NO ACTION

/AB

Respectfully Submitted,

John C. Mehalek, Village Clerk

REQUEST FOR ACTION REPORT

File Number:	2019-0901
Orig. Department:	Parks Department
File Name:	John Humphrey Complex Renovation Update

BACKGROUND:

The John Humphrey Complex (JHC) renovation project began with the budgeting of \$600,000 for fiscal year 2018, which was allocated to solve severe grade issues in field three. During the initial planning phase it was determined that a consultant would be contracted to evaluate the Villages sports complexes and help guide the Village to a best use recommendation for the John Humphrey Complex, Centennial Park and Cachey Park. Once the consultant completed their findings and presented them to the Village Board, staff was able to issue an Request for Proposal (RFP) using the consultant's recommendations as the base line for the projects scope of work. The original John Humphrey Renovation RFP 18-048 was issued November 13th, 2018 with a total of three (3) vendors submitting proposals. All three (3) proposals exceeded the funding allocated. Staff was directed to modify the scope. The John Humphrey Complex Renovation RFP 19-002 was posted to Bidnet on January 7, 2019 and was opened on February 7, 2019. Four (4) vendors submitted proposals, with the lowest being V3 Construction Group. The Board of Trustees approved RFP 19-002 on March 18, 2019, awarding the contract to V3 Construction Group.

Construction Process:

Soil borings began on the property on March 22, 2019. Soil boring was conducted to provide a clear and concise picture of the soil profile so V3 could better understand the needs and challenges of the property. The initial project kickoff meeting was held between staff and V3 on April 1, 2019 to begin reviewing the initial design, grading and drainage plans. The proximity to an adjacent storm water basin raised concerns regarding potential for permitting from the Metropolitan Water Reclamation District (MWRD).

The first submittal in the process was sent to MWRD for determination on April 24, 2019. V3 had multiple correspondences with the last submittal being July 2, 2019. Permit approval was issued on July 8, 2019. The MWRD permitting process did not allow commencement of grading on the intended start date; instead the process put the project behind schedule by three months.

The delay did allow the boring samplings to be analyzed providing the soil profiles on May 7,

2019. The results showed that the field 3 outfield had an excessive amount of subsurface peat which was the root cause of the sinking. The on hold timeframe from the permitting process allowed staff and V3 to adjust the drainage and grading plan accordingly to prevent the sinking from becoming a problem again in the future. Once the permit was received on July 8, 2019, and the grading was in full motion, the project continued without delay until October. V3 was able to fine grade and seed just under half of the complex prior to the cold, snow and wet weather developing in October.

The Village and V3 had several exchanges to address the challenges the weather was producing and the likelihood that portions of the project were not going to be completed in 2019. It was determined during those dealings that the remainder of the complex would be seeded with only perennial rye grass solely for the purpose of winter erosion control. The concern was that the weather was too cold, and the blue grass would not germinate and be established enough to survive the winter. The project team agreed the best course of action would be to postpone the blue grass seeding to spring. Paving of the plaza would also be postponed until the spring of 2020, again due to the weather and site conditions.

John Humphrey Complex 2020:

With 2020 on the horizon, staff is preparing for the completion of Phase One (1) of the JHC renovation and the beginning of Phase Two (2). On December 2, 2019, the Board of Trustees approved the budget for fiscal year 2020 which includes Phase Two (2) of the John Humphrey Complex Renovation. Phase Two (2) is the renovation of the JHC concession building. The original intent was to have the complex ready to open for play in the fall of 2020. Staff is progressing on the RFP development for phase two, the concession building renovation for which an accurate timeline for completion has not yet been established.

Parks staff spoke to staff in the Recreation Department to determine when organizations and tournaments begin their scheduling and reservation process for the upcoming season. It was relayed that tournaments begin reserving fields and dates a year in advance and regular local organizations confirm their field allocations in February. Considering the unknown future conditions of the turf areas, the potential that the fields will not be established enough for fall sports to be programmed at the John Humphrey Complex is a possibility.

Staff is recommending that programming at the John Humphrey Complex be withheld until the 2021 season. If the board concurs with deferring opening John Humphrey Complex until 2021, the Village can ensure the product that is being showcased is 100% ready with the highest quality standards. The Village will also be able to ensure that the concession building renovation is completed; again showing a 100% completed and renovated facility.

From an agronomist perspective, since the bluegrass seeding is not taking place until spring, the new turf will be more susceptible to significant, non-recoverable desiccation. With the high usage rates that Orland Park fields are subjected to, any turf damage takes double or triple the amount of time to recover. In most situations, to obtain a full recovery of the turf, the field or fields will have to be closed and allowed to rest for a period of time.

Fields at John Humphrey Complex (JHC) will be held to the highest industry standard. The soccer fields at Centennial Park are an example of how constant usage can cause turf damage that is seemingly impossible to repair. If the decision is made to postpone the opening of the complex to the spring of 2021, the new turf will have an entire growing season to fully establish a strong, deep and healthy root system making the plants stronger and more resilient to the high stress conditions that sports field turf undergoes.

BUDGET IMPACT:

None

REQUESTED ACTION:

I move to recommend to the Village Board to allow John Humphrey Complex to remain closed until the spring of 2021 to ensure the turf condition is optimal and provide a high-quality product that will more successfully handle the stress imposed on athletic surfaces.

REQUEST FOR ACTION REPORT

File Number:	2019-0910
Orig. Department:	Parks Department
File Name:	Centennial Park West Events and Walks

BACKGROUND:

The Village processes approximately 10 special event permits for walks each year. In order to avoid roadway shutdowns and the need for police to direct traffic, these events are traditionally staged out of Centennial Park. This is starting to create conflicts with sports tournaments and CPAC pool usage, particularly as it relates to parking shortages and damage to athletic field grass on staging areas. Staff would like to shift the staging areas for these walks to Centennial West in 2020 in order to utilize the surplus parking available at that location and stage on the grass where tournament level field grass is not required. Park's staff also believes that with longer rebound times and without field play, the Centennial West grass will not be as affected. Events would be scheduled so as to not conflict with concert dates (and setup/take down). Walks could still proceed through Centennial Park via the underpass access.

The Village Board previously approved a policy for Centennial West rental fee of \$1000, but that language seems to be for concerts. In addition to requesting the relocation of these events staff would recommend that the current fee structure for nonprofit 501 C3 events remain unchanged.

BUDGET IMPACT:

None

REQUESTED ACTION:

I move to recommend to the Village Board to approve the venue change to Centennial West for nonprofit 501 C3 events and the current fee structure for said events remain at the current levels.

REQUEST FOR ACTION REPORT

File Number: **2019-0880**
Orig. Department: **Development Services Department**
File Name: **2020 Land Development Code Amendments I**

BACKGROUND:

QUICKFACTS

Project

2020 Land Development Code Amendments I - 2019-0880

Petitioner

Development Services Department

Purpose

The purpose of these amendments is to update and clarify the Land Development Code.

Requested Actions: Land Development Code Amendments

Topics

Update to Establish the Committee of the Whole
Update to the Old Orland Historic District Certificate of Appropriateness Review Process
Update to Establish Criteria for Site Plans and Building Elevation Plans
Update to the Sign Code
Update to the Requirements for Drive-Through Accessories
Update to Screening Requirements
Update to Parking Lot Screening and Setback Requirements
Minor Modifications to Previously Approved Land Development Code Amendments

Project Attributes (Sections to be Amended)

Section 2-102 Definitions
Section 3-101 Board of Trustees
Section 5-101 Development Review Procedures
Section 5-108 Text and Map Amendments
Section 5-112 Development and Subdivision Requirements
Section 6-202 R-1 Residential District
Section 6-209 Old Orland Historic District
Section 6-302 Accessory Structures and Uses
Section 6-304 Temporary Uses
Section 6-305 Landscape and Tree Preservation
Section 6-307 Signs
Section 6-308 Design Standards
Section 6-314 Environmental Technology Standards

Exhibits

Exhibit A - Chart 5-101.A(A) - General Development Procedures
Exhibit B - Section 6-307 Signs - Proposed Amendments
Exhibit C - Table 6-302.C.1 (A) - Attached Accessory Structures

OVERVIEW AND BACKGROUND

The first round of Land Development Code Amendments for 2020 is presented in the attached Amendment Report to the Plan Commission. The Amendment Report, titled “2020 Land Development Code Amendments I Amendment Report to the Plan Commission”, contains various amendments to the sections identified above.

The Amendment Report contains the full narrative explanation for each amendment followed by the respective Code changes. Language with a strike-out (~~strike-out~~) indicates elimination from the Code. In all cases, the language that is bolded and in red (**red**) indicates proposed addition to the Code.

PLAN COMMISSION DISCUSSION

A public hearing was held before the Plan Commission on December 3, 2019. There were no members of the public present. A summary of the items discussed at the public hearing is included below:

Site Plans and Building Elevation Plans

Commissioner Schussler asked if some of the documents required as part of petition applications could be included in the Plan Commission packets for the Plan Commission to review. Commissioner Schussler recommended that a copy of the traffic study, if required by the Land Development Code, always be included for the Commission to review. Additionally, Commissioner Schussler asked if the disclosure of ownership information could be included in order to help Commissioners determine if there are any conflicts of interest with the petitioner and they should abstain from voting on a project.

Sign Code

Staff provided an overview of the amendments to the Sign Code and clarified questions from the Commission. Commissioner Schussler asked if the Village is considering allowing electronic message board signs in the future. Commissioner Sanchez asked if the new regulations for Old Orland Historic District (Sign District #5) would require any businesses to alter their signs. Staff confirmed that any existing signs that do not meet code requirements would be subject to the regulations for non-conforming signs. All new signs would be required to meet the new code requirements.

Minor Modifications to Previously Approved LDC Amendments

Commissioner Zomparelli asked for clarification on Exhibit C - Table 6-302.C.1(A). The table only includes the beginning of the list of attached accessory uses that require clarification as part of the current code amendments. The remaining portion of the table will not be changed and will be included in the Land Development Code.

PLAN COMMISSION MOTION

On December 3, 2019, the Plan Commission moved, by a vote of 4-0, to recommend to the Village Board of Trustees to accept as findings of fact of the Plan Commission the findings of fact set forth in the staff report, dated December 3, 2019, and to approve the Land Development Code amendments for Section 2-102, Section 3-101, Section 5-101, Section 5-108, Section 5-

112, Section 6-202, Section 6-209, Section 6-302, Section 6-304, Section 6-305, Section 6-307, Section 6-308, and Section 6-314, as presented in the attached Amendment Report titled “2020 Land Development Code Amendments I Amendment Report to the Plan Commission” and associated exhibits, prepared by the Development Services Department and dated December 3, 2019.

No conditions of approval were added to the motion.

This case is now before the Committee of the Whole for recommendation prior to final consideration by the Board of Trustees.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board of Trustees approval of the 2020 Land Development Code Amendments I, as recommended at the December 3, 2019 Plan Commission meeting and as fully referenced below.

THIS SECTION 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, Section 3-101, Section 5-101, Section 5-108, Section 5-112, Section 6-202, Section 6-209, Section 6-302, Section 6-304, Section 6-305, Section 6-307, Section 6-308, and Section 6-314**, as presented in the attached Amendment Report titled “2020 Land Development Code Amendments I Amendment Report to the Plan Commission” and associated exhibits, prepared by the Development Services Department and dated December 3, 2019.

2020 LDC AMENDMENTS I SUMMARY

Plan Commission: December 3, 2019

SUBSTANTIVE AMENDMENTS

UPDATE TO ESTABLISH THE COMMITTEE OF THE WHOLE - On November 18, 2019, the Village Board adopted an ordinance establishing the Committee of the Whole and its duties. Such revisions to the Village Code prompted the proposed revisions to the Land Development Code. The duties of the Committee of the Whole, as outlined in the Ordinance, replace that of the Development Services and Planning Committee of Trustees.

UPDATE TO THE OLD ORLAND HISTORIC DISTRICT CERTIFICATE OF APPROPRIATENESS REVIEW PROCESS - The proposed amendment will remove the Committee of Trustees from the tables (Table 6-209.G.1 and Table 6-209.G.2) listed in Section 6-209 outlining the Certificate of Appropriateness review process for contributing structures, landmarks, non-contributing structures, and new construction in the Old Orland Historic District, and Table 6-209.G.2. The proposed changes will reflect the changes to replace the Development Services, Engineering and Planning Committee with the Committee of the Whole, as approved by the Village Board on November 18, 2019.

UPDATE TO ESTABLISH CRITERIA FOR SITE PLANS AND BUILDING ELEVATION PLANS - The Land Development Code references site plan and building elevation review, however the Code is silent in what exactly a site plan or building elevation is and what is required on such plans. To provide clarification and consistency in plans, the proposed text amendment clearly defines the two terms while establishing all information that is to be provided on the site plan and building elevations. The information required for site plans will ensure Staff, Plan Commission, Village Board and petitioner will have the necessary information to conduct a complete and comprehensive review. Language is also added and reformatted to clarify what a complete application consists of.

UPDATE TO THE SIGN CODE - The proposed amendments clarify regulations within the Sign Code listed under Section 6-307 Signs. After reviewing many sign permit applications using the new Sign Code, staff found that some regulations required clarification for consistent administration of the code. Additionally, an amendment is proposed to Section 6-209.E, which removes the existing signage regulations for the Old Orland Historic District (OOH), and creates a new sign district and table for Sign District #5 for the OOH District under the Sign Code in Section 6-307. The regulations for signs in the OOH District are currently separated from the Village's other signage requirements listed in Section 6-307. The proposed amendment intends to provide a clear and consistent format so that the code is easier to understand and so that all signage regulations for each zoning district would now be included within the Sign Code. The newly established Sign District #5 also updates outdated signage regulations for wall signs, awning signs, projecting signs, monument signs, and dual post signs.

UPDATE TO THE REQUIREMENTS FOR DRIVE-THROUGH ACCESSORIES - An amendment is proposed to revise language to clarify where Drive-Through Accessories shall be located. Language is added to specify that Drive-Through Accessories shall not be located between the buildings and streets, except if approved via a Special Use Permit. Additionally, the Code currently states that Drive-Through Structures shall not extend beyond 20% of the size of the menu board in surface area. The proposed amendment removes this language, which is unclear.

UPDATE TO SCREENING REQUIREMENTS - The proposed amendment updates the existing regulations for the screening of service areas, utility areas, loading areas, storage areas, overhead doors, trash collection and recycling areas, and other potentially unattractive places listed in Section 6-308.J. The proposed language also includes specific code requirements for roof-mounted and ground-mounted mechanical equipment.

UPDATE TO PARKING LOT SCREENING AND SETBACK REQUIREMENTS - The proposed amendment clarifies requirements for shared parking lots. Language is added to allow for a reduction to the parking lot screening and setback requirements along shared lot lines to accommodate shared parking lots.

CLARIFICATION AMENDMENTS

MINOR MODIFICATIONS TO PREVIOUSLY APPROVED LAND DEVELOPMENT CODE

AMENDMENTS – On March 4, 2019, the Village Board formally approved various revisions to the Land Development Code. During the codification process, errors have been identified. To ensure proper process and amendments are conveyed, the Plan Commission must review and approve items relating to R-1 Residential District, accessory structures, temporary uses, and environmental technology standards.

Amendment Report to the Plan Commission

Prepared by: Development Services Department

December 3, 2019

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EXHIBITS

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Exhibit B – Section 6-307 Signs – Proposed Amendments 39-64

Exhibit C – Table 6-302.C.1 (A) – Attached Accessory Structures 65

KEY

- Text with ~~striketrough~~ to be deleted.
- Text in **red and bolded** to be added.

SUBSTANTIVE AMENDMENT: **UPDATE TO ESTABLISH THE COMMITTEE OF THE WHOLE**

AMENDMENT SUMMARY

SECTION 2-102

- Definition is added to define Committee of the Whole and reference the Village Code in which the Committee of the Whole is established.

SECTION 5-101, 5-108, 5-112 and 3-101

- Reference to “Development Services and Planning Committee of Trustees” is being replaced with “Committee of the Whole”. This change is to be carried throughout the entire Land Development Code.
- Language is added to modify the review process of the newly created Committee of the Whole to allow, at the discretion of the Development Services Director, projects which require approval by the Village Board proceed directly to from the Plan Commission to Village Board, not requiring appearance before the Committee of the Whole.
- Amendment to Chart 5-101.A (A) to reflect changes to the development review process – Refer to Exhibit A
- Reference to “Developer Agreements” is being replaced with “Development Agreements.”
- Language is modified to clarify the duties of the Board of Trustee in Section 3-101. The duties of the Board are not change in anyway; rather reference to “Committee” is being deleted.

AMENDMENT EXPLANATION

On November 18, 2019, the Village Board adopted an ordinance establishing the Committee of the Whole and its duties. Such revisions to the Village Code prompted the proposed revisions to the Land Development Code. The duties of the Committee of the Whole, as outlined in the Ordinance, replace that of the Development Services and Planning Committee of Trustees.

In addition to the establishment of the Committee of the Whole, the proposed revisions include modifications to the process. As currently established, any project or request which appears before the Plan Commission must appear before the Development Services and Planning Committee of Trustees prior to approval by the Village Board. The proposed revisions would allow, at the discretion of the Development Services Director, for such approvals that receive unanimous recommendation the project may proceed directly to the Village Board, and are not required to appear before the newly established Committee of the Whole. The proposed revisions also establish the requirement that all development agreements and text amendments to the Land Development Code must appear before the Committee of the Whole, prior to consideration by the Village Board.

In review of the proposed revisions and references to Committee of the Whole, it was noted the powers and duties of the Board of Trustees references a “Committee”. The referenced committee is not defined, therefore it is recommended to eliminate the term, while retraining the same duties and powers of the Board of Trustees.

PROPOSED AMENDMENT TEXT

SECTION 2-102

Committee of the Whole means the body that makes recommendation to the Board of Trustees, except when the Board of Trustees has granted specific powers and duties to act on a specific matter, as established by Title 1, Chapter 5, Section 1-5-7-14 of the Orland Park Village Code. For the purposed of this Ordinance, the Committee of the Whole may be referred to as the Committee.

SECTION 5-101. DEVELOPMENT REVIEW PROCEDURES.

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.

2. **Organization.** The organization of this section is laid out in a manner that reflects the process of development review beginning with the determination of the type of review required, the review sequences, the review procedures, and finally the role of the Development Services Department. This section informs the public, the petitioner, the government agent, and the elected and appointed officials of the procedures of the Village of Orland Park for development review. It also simultaneously guides them through the decision-making process and acts as a map for development review in the Village of Orland Park.

3. **General Process.** The general direction for moving through the decision-making process for development is shown below. For a flow chart of the decision-making process see Chart 5-101.A(A) at the end of this section.

- a. Pre-application Conference → Departmental Review → Plan Commission → ~~Development Services and Planning Committee of Trustees~~ **Committee of the Whole** → Board of Trustees; OR
- b. Departmental Review → Board of Trustees; OR
- c. Departmental Review → Hearing Officer(s) → Board of Trustees (if needed).

4. Appearance before Committee of the Whole. In the case where a project has received unanimous recommendation from the Plan Commission, and at the discretion of the Director of the Development Services Department, the requirement to appear before the Committee of the Whole may be waived, therefore permitting such project to proceed directly to appear before the Board of Trustees. All development agreements shall appear before the Committee of the Whole in accordance with Section 5-112.H.17.

B. Petitions, Applicability, and Plan Review

1. **Petitions.** All development and redevelopment in the Village of Orland Park requires the submittal of a petition or application to the Development Services Department for the purpose of establishing a public record and beginning the process for the Departmental Review. Petition/ Application forms are obtained from the Development Services Department in Village Hall. For more information on the role of the Development Services Department see Section [5-101.K](#). In the instance that this Code requires certain distances within a regulation, the measurements shall be made to the property line, unless the measurement is defined otherwise within such regulation or unless interpreted differently by Staff based on the intent of the regulation. (Amd. Ord. 5312 – 7/16/18)

2. **Applicability.** There are two public review processes in the Village of Orland Park for petitions: a public meeting with a public hearing and a public meeting without a public hearing. The following subsections outline which petitions go to public hearings and which go to public meetings respectively for each body. Petitions listed under Plan Commission, for example, begin at Plan Commission and move through the general process.

Petitions listed under Board of Trustees begin and end at the Board of Trustees and so on. In all cases, petitions are reviewed and processed by the Development Services Department. The administrative decision petitions are also outlined below.

a. **Public Hearing.** Public hearings require a published public notice and are held at public meetings. At a public hearing, the public can attend to provide testimony and view details regarding development review before the appropriate official body.

1. A public hearing at Plan Commission shall be required for applications regarding:
 - Special Uses;
 - Special Use Amendments;
 - Variances (except as in 5 below);
 - Rezoning/ Map Amendments;
 - Subdivision Review (with the exception of non-residential lot consolidations);
 - Designation of Historic and/or Architectural Landmarks;
 - Amending the Local Register of Significant Places (LRSP) and the Natural Heritage Sites (NHS) lists in Section [5-110](#);
 - Certificates of Appropriateness with major changes to any structures in the Old Orland Historic District per Section [6-209](#) or for historic/ architectural landmarks per Section [5-110](#); and
 - Certificates of Appropriateness for Demolition for contributing structures of the Old Orland Historic District per Section [6-209](#) or for historic/ architectural landmarks per Section [5-110](#).
2. A public hearing at Plan Commission is required when the Development Services Department or any other Village agency or department, developer or resident petitions for:
 - Comprehensive Plan Amendments; and
 - Land Development Code Text Amendments.
3. A public hearing before the Board of Trustees is required for:
 - Annexation Agreements.
4. All public hearings pertaining to land development take place before the Plan Commission with the exception of annexation agreements, variances affecting one (1) single family residential dwelling, and variances affecting multi-family residential dwellings of fewer than six (6) units.
5. A public hearing before the Hearing Officer(s) is required for:
 - Variance petitions affecting one (1) single family residential dwelling;
 - Variance petitions affecting multi-family residential dwellings of fewer than six (6) units.

b. **Public Meeting.** A published public notice is not required in order to hold a public meeting, although the requirements of the Illinois Open Meetings Act must be met. Public meetings are held at Plan Commission, ~~at the Development Services and Planning Committee of Trustees~~ **the Committee of the Whole**, and at the Board of Trustees. The public can attend public meetings but are not guaranteed the opportunity to provide testimony regarding development review.

1. A public meeting at Plan Commission is required for applications regarding:
 - Site Plan Review;
 - Building Elevations; and
 - Appeals of Administrative Decisions.
2. A public meeting by the Board of Trustees is required for:
 - Plats of Subdivision (including consolidations);
 - Development Agreements; and
 - Related Ordinances. (Amd. Ord. 5221 – 9/18/17)

3. All meetings of the ~~Development Services and Planning Committee of Trustees~~ **the Committee of the Whole** and the Board of Trustees are public meetings. For annexation agreements at the Board of Trustees, a public meeting with a public hearing is required.

c. **Administrative Decisions.** Administrative decisions are a third review process. Administrative decisions are made internally by the Development Services Department.

1. Administrative decisions within the Development Services Department are required for applications pursuant to Section [5-106](#) regarding:

- Minor exterior changes to sites and buildings; and
- Restaurants that do not require preliminary plan review or special use permits.

2. Administrative decisions within the Development Services Department are required for applications pursuant to Sections [5-110](#) and [6-209](#) regarding:

- Routine maintenance to contributing structures in the Old Orland Historic District;
- Routine maintenance to historic/ architectural landmarks; and
- Minor changes or routine maintenance to non-contributing structures in the Old Orland Historic District.

d. **Commissions.** For cases where petitions are handled at a commission other than Plan Commission, the rules, procedures and standards outlined in the following subsections apply to the commission in question per the commission's particular petitions as outlined above.

3. **Plans for Review Process.** A preliminary plan shall be submitted for review to the Development Services Department as part of the application for development. The Plan Commission shall review the preliminary plan and make its recommendations pursuant to the below sections of these regulations. ~~The Development Services and Planning Committee of Trustees~~ **The Committee of the Whole, if required by Section 5-101.A.4,** shall then follow with similar review. The Board of Trustees shall act upon the preliminary plan as a final plan and grant, grant with conditions or deny the petition/ application. Upon granting of approval with or without conditions, the Board of Trustees shall recognize it to be a final plan pursuant to the same sections of these regulations.

a. **Plans with Plats of Subdivision.** At a minimum, plats of subdivision must be accompanied by a preliminary plan for each subdivided lot and a conceptual plan of the surrounding area as required by the Development Services Department. Applicants for plat approval may be required to submit additional information or studies, such as building envelopes and conceptual plans for the surrounding area, which the Development Services Department, the Plan Commission and/or the Board of Trustees may deem necessary to review at a later time. For more information on plats see Section 5-112.

b. **Conditions.** The Plan Commission, ~~the Development Services and Planning Committee of Trustees~~ **the Committee of the Whole, if required by Section 5-101.A.4,** and/or the Board of Trustees may attach to their recommendations to and/or approvals of a preliminary plan, a final plan, or a plat reasonable conditions not otherwise addressed by these regulations as are necessary to carry out the purpose of these regulations, the Comprehensive Plan, cause incremental improvements, and to prevent or minimize adverse effects upon other property, including, but not limited to: limitations on size and location, requirements for landscaping, provision of adequate ingress and egress and off site and project related improvements. Other conditions such as the duration of the approval, hours of operation, and mitigation of environmental impacts may also be attached.

c. **Conditions on Record Plats of Subdivision.** When conditions pursuant to Section [5-101](#).B.3.b above are attached to a subdivision plat, or a record plat of survey or other type of plat, review of said plat shall be continued until the conditions are deemed met by the Development Service Department or decision-making body which attached the conditions and then the plat shall be approved by the Village Board of Trustees so that the record plat of subdivision is accurate when issued to the County.

d. **Notification.** Notification of all Village Board decisions shall be mailed to the petitioner/ applicant and the owner of record if different from the applicant.
(Ord. 4940 - 11/3/14)

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 for special uses, special use amendments, variances (with exception for Subsection [5-101.C.3.a](#) below) text and map amendments (rezoning) and subdivision review. It shall also hold a public hearing following the same Section [5-101.G](#) below for applications regarding historic/ architectural landmark designations, amending landmark lists such as the LRSP and the NHS in Section [5-110](#), Certificates of Appropriateness for major changes to structures in the Old Orland Historic District or to historic/ architectural landmarks, and Certificates of Appropriateness for Demolition for contributing structures of the Old Orland Historic District or for historic/ architectural landmarks. The Plan Commission shall review a preliminary plan and/or the historical/ architectural significance of the petition's subject and the report and recommendation of the Development Services Department and testimony given at the public hearing and either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.

b. ~~**Committee of Trustees.**~~ **The Committee of the Whole.** ~~The Development Services and Planning Committee of Trustees~~ **The Committee of the Whole, if required by Section 5-101.A.4,** shall review the preliminary plan, other submitted documents, the Plan Commission recommendation and the Development Services Department report and recommendation and shall recommend approval, with or without conditions, or disapproval to the Board of Trustees.

c. **Board Action.** Upon receipt and review of the Plan Commission's and ~~the Development Services and Planning Committee's~~ **the Committee of the Whole's, if required by Section 5-101.A.4,** recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the special use, special use amendment, variance, rezoning and/or subdivision along with the petition's final plans, elevations and preliminary landscape plan or the landmark designation, the Certificate of Appropriateness for major changes to contributing structures or landmarks, and/or Certificates of Appropriateness for Demolition along with the petition's final plan and/or the historic/ architectural significance of the petition's subject and shall grant, grant with conditions, or deny the petition/ application.
(Amd. Ord. 5221 – 9/18/17)

2. **Public Meeting at Board of Trustees with a Public Hearing.**

a. **Board of Trustees.** The Board of Trustees shall hold a public hearing for annexation agreements.

b. **Board Action.** Upon receipt and review of the report and recommendation of the Development Services Department and the testimony at the public hearing, the Board of Trustees shall consider the annexation and shall approve, modify with conditions, or deny the annexation.

3. **Public Meeting at the Hearing Officer(s) with a Public Hearing.**

a. **Hearing Officer(s).** The Hearing Officer(s) shall hold a public hearing in accordance with the provisions of Section [5-101.G](#) of these regulations for applications regarding variance petitions affecting one (1) single family residential dwelling and variance petitions affecting multi-family residential dwellings of fewer than six (6) units. The Hearing Officer(s) shall review a preliminary plan or related documentation, the report and recommendation of the Development Services Department and testimony given at the public hearing and if the application for a variance is within one of those variances authorized in Section [5-109.E](#), grant the variance with or without conditions or deny the variance. If the variance is not within one of those variances authorized in Section [5-109.E](#), the Hearing Officer(s) shall review a preliminary plan or related documentation, the report and recommendation of the Development Services Department and testimony given at the public hearing and

either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.

b. **Board Action.** Upon receipt and review of the Hearing Officer(s) recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the variances requested not authorized in Section [5-109](#).E for the Hearing Officer(s) to grant or deny and shall grant, with or without conditions, or deny the petition/ application.

(Ord. 4940 - 11/3/14)

D. **Public Meeting Sequence without a Public Hearing**

1. **Public Meeting at Plan Commission.**

a. **Plan Commission.** The Plan Commission shall hold a public meeting whenever an applicant petitions for preliminary plan review, elevations review and/or an appeal of an administrative decision that does not include a special use, special use amendment, variance, text and map amendment (rezoning) and/or subdivision review. It will also hold a public meeting regarding minor changes to landmarks. The Plan Commission shall review a preliminary plan and/or the historical/ architectural significance of the petition's subject and the report and recommendation of the Development Services Department and either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.

b. ~~Committee of Trustees~~ **The Committee of the Whole.** ~~The Development Services and Planning Committee of Trustees~~ **The Committee of the Whole, if required by Section 5-101.A.4,** shall review the preliminary plan, the Plan Commission recommendation and the Development Services Department report and recommendation and shall recommend approval, with or without conditions, or disapproval to the Board of Trustees.

c. **Board Action.** Upon receipt and review of the Plan Commission's and ~~the Development Services and Planning Committee's~~ **the Committee of the Whole's, if required by Section 5-101.A.4,** recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the final plan, elevations and preliminary landscape plan or the Certificate of Appropriateness for minor changes to landmarks and shall grant, grant with conditions, or deny the petition/ application. (Amd. Ord. 5221 – 9/18/17)

2. **Public Meeting at Board of Trustees.**

a. **Board of Trustees.** The Board of Trustees shall review, at a regular or special meeting, preliminary landscape plans, plats of subdivision (including consolidations), development agreements, and other related ordinances.

b. **Board Action.** Upon receipt and review of the report and recommendation of the Development Services Department, the Board of Trustees shall consider the preliminary landscape plan, plats of subdivision, development agreement and/or other related ordinances and shall grant, grant with conditions, or deny these items.

(Ord. 4940 - 11/3/14; Amd. Ord. 5221 – 9/18/17)

E. **Administrative Decisions Regarding Appearance and Site Plan Review**

1. **Administrative Decisions at Development Services Department.**

a. **Administrative Decision.** Section [5-106](#) of these regulations regulates the administrative decision process with regard to petitions/ applications that require appearance and related site plan review. The Development Services Department may approve, with or without conditions, or deny a petition for an administrative decision. Administrative decisions do not go to Plan Commission unless an appeal is made by the petitioner/ applicant. The appeal to Plan Commission is heard at a public meeting.

b. **Administrative Decision in the Old Orland Historic District or on Landmarks.** Section [6-209](#) of these regulations regulates the administrative decision process with regard to petitions/ applications that require

Certificates of Appropriateness for routine maintenance on contributing structures or landmarks, and minor changes or routine maintenance on non-contributing structures. The Development Services Department may approve, with or without conditions, or deny a petition for an administrative decision. Administrative decisions do not go to Plan Commission unless an appeal is made by the petitioner/ applicant. The appeal to the Plan Commission is heard at a public meeting.

(Ord. 4940 - 11/3/14)

F. Timeline of Process, Jurisdictional Approval and Expiration

1. **Six Month Rule.** Any petition that has not proceeded forward within six (6) months from petition date to the Plan Commission, or within six (6) months from Plan Commission to ~~the Committee of Trustees~~ **the Committee of the Whole, if required by Section 5-101.A.4**, or within six (6) months from the ~~Committee of Trustees to the Board of Trustees~~ **the Committee of the Whole** due to inactivity may be terminated by the Development Services Department. The Development Services Department must notify the petitioner prior to termination of the petition. (Amd. Ord. 4839 – 9/16/13)

2. **Jurisdictional Approval.** If the final plan covers land either wholly or partly outside the corporate limits of the Village, the approval of the Board of Trustees shall not be final until the applicable jurisdiction in which said development is located has approved it.

3. **Expiration.** If there is no activity after three (3) years of approval by the Board of Trustees of a special use and/or final plan, the special use and/or final plan shall expire unless an extension is granted by the Board of Trustees. (Ord. 4769 – 12/3/12)

G. Public Hearing Procedures

1. **Purpose.** The purpose of the following process is to provide an opportunity for the public to be notified about, to be able to view the details of, make a submission about, and/or voice their opinions on a development application, proposal, or petition.

2. **Notice of Public Hearing.** The public shall be notified about all public hearings.

a. **Notification Details.** All notices of public hearings shall include:

1. The date, time and place of the public hearing;
2. A summary of the proposal under consideration;
3. The address and legal description of the specific property that is the subject of the public hearing for matters regarding a rezoning, a special use permit, a variance, an annexation, a subdivision, a landmark designation or a Certificate of Appropriateness. (Ord. 3354 – 4/17/00)
4. That said meeting may be continued without republication up to three (3) times.

b. **Notification Requirements.** All notices of public hearings shall also meet the following requirements:

1. The Development Services Department shall publish a copy of the notice in one (1) or more newspapers with general circulation in the counties in which the Village of Orland Park and contiguous unincorporated territory are located;

(Ord. 4940 - 11/3/14)

2. It is the petitioner's/ applicant's responsibility to send a copy of the notice by certified 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.

3. It is the petitioner's/ applicant's responsibility to post a weatherproof sign(s) at least three (3) feet by four (4) feet (or 48 inches by 36 inches) in front surface area, the bottom of which shall be mounted at least four (4) feet above the ground, and to have at least one (1) sign in the most visible location to the general public such as along a primary roadway. Such sign(s) shall be posted on private property and shall remain until the conclusion of the public hearing. Failure to comply with the provisions of this Subsection shall not render the public hearing invalid, provided that a good faith effort was made to comply. The petitioner must remove

the public hearing notice sign(s) no later than thirty (30) days after the Village Board action on the proposal. The sign must display wording that at a minimum notifies the public about the public hearing for the procedure which has triggered the public hearing. It must include the date, time, place and the contact information of the Development Services Department. Arial or Arial Narrow shall be the font in which the public hearing signs are printed. The notice, date and time of the sign must be no less than 3.5 inches in height and the remaining information on the sign no less than 2.5 inches in height. (Ord. 4574 – 7/6/10; Amd. Ord. 5167 – 2/20/17)

4. All required notices shall be provided at least fifteen (15) days, but no more than thirty (30) days in advance of the published public hearing.

5. It is the petitioner's / applicant's responsibility to submit a notarized affidavit to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

c. **Other Requirements.**

1. For public hearings regarding Comprehensive Plan Amendments and/ or Land Development Code Text Amendments, notices shall be provided by the requirements outlined in Section [5-101](#).G.2.b.1 and 5-101.G.2.b.4 only.

2. For amendments to the Zoning Map, notices shall be provided by the requirements outlined in Section [5-101](#).G.2.b.1, Section [5-101](#).G.2.b.2 and Section [5-101](#).G.2.b.4 above. (Ord. 4161 – 8/7/06)

3. **Conduct of the Hearing.**

a. **Submission of Testimony.** Any person may appear at a public hearing and give testimony or submit written materials, either individually or as a representative of an organization. The decision-making body may exclude information that it finds to be irrelevant, immaterial or unduly repetitious.

b. **Duty of the Development Services Department.**

1. The Development Services Department shall present information concerning pertinent application considerations and the standards set out in these regulations and make recommendations.

2. Upon a showing by any person made at any time during the public hearing, or on motion of the decision-making body, the petitioner/ applicant or the Development Services Department may be required to produce additional information with respect to the proposed petition/ application.

c. **Continuance.** The decision-making body may continue a hearing to a specified date, time and place. Unless such continuance is publicly announced at a properly noticed public hearing, the Development Services Department shall cause notice to be given to all persons originally entitled to notice of the date, time and place of such continued hearing in the same manner as specified in Section [5-101](#).G.2 above.

H. **Public Meeting Procedures**

1. **Purpose.** The purpose of the following process is to provide an opportunity for the decision-making body to review the development application, proposal, or petition.

2. **Notice of Public Meeting.** A public notice other than that required by the Illinois Open Meetings Act is not required for a public meeting.

3. **Conduct of the Meeting.**

a. **Submission of Testimony.** Decision-making bodies shall accept testimony or written materials from individuals or representatives of an organization outside of the applicant at public meetings. (Amd. Ord. 4996 – 6/15/15)

b. **Duty of the Development Services Department.**

1. The Development Services Department shall present information concerning pertinent application considerations and the standards set out in these regulations and make recommendations.

2. Upon a motion of the decision-making body, the applicant or the Development Services Department may be required to produce additional information with respect to the proposed petition/ application.

c. **Continuance.** The decision-making body may continue a hearing to a specified date, time and place.

I. **Record of Hearings**

1. **Recording Hearings.** The Development Services Department shall ensure that the proceedings are recorded by appropriate means.
2. **Record.** The record of proceedings shall consist of the recording of testimony, all applications, exhibits, and papers submitted in any proceeding with respect to the matter being considered, and the summary and report or reports of the Development Services Department.
3. **Open Record.** All summaries and reports of the Development Services Department shall be public records, open to inspection at a reasonable time and upon reasonable notice.
4. **Examination and Copying of Application.** Any person may examine any application for development approval and other material submitted in regard to that application, and may obtain copies of the application and other materials upon reasonable request and payment of a fee to cover the actual cost of such copies.

J. **Ethics Rules**

1. **Conflicts.** Any member of a decision-making body having any direct or indirect financial interest in property or who lives within five hundred (500) feet of any property which is the subject of a public hearing or public meeting or who might have interest in the outcome of the petition shall disclose such fact at the hearing, prior to voting on the matter.
2. **Contacts Outside of the Hearing.** If any member of a decision-making body receives a substantive communication from any person outside the hearing concerning a subject matter under consideration by that body, the member shall make a statement at the hearing describing the circumstances and substance of the communication.
3. **Other Rules to Govern.** Other matters pertaining to the public hearing or public meeting shall be governed by other provisions of these regulations applicable to the body conducting the hearing and its adopted rules of procedure.

K. **Role of the Development Services Department**

1. **Conference with the Development Services Department.**
 - a. **Pre-Application Conference.** A petitioner or an applicant for development approval may request an informal conference with the Development Services Department prior to filing a petition or application. The pre-application conference shall be informal and its purpose shall be to discuss the proposals, views and concerns of the applicant and the Village, and to review for compliance with codes, plans and policies.
2. **Application Submission Requirements.**
 - a. **Application and Fee.** When the petitioner or applicant is ready following the pre-application conference, all applications for development approval shall be submitted to the Development Services Department accompanied by the payment of a fee as authorized in Section [1-104](#). Applicants for development approval may be required to submit additional information.
3. **Complete Applications.**
 - a. **Determination of Completeness.** Within fifteen (15) days after receipt of an application for development approval, the Development Services Department shall determine whether the application is complete. If it is determined that the application is complete, the applicant will be notified in writing that the application has been accepted for filing. If the application is not complete, the applicant shall be notified, specifying the deficiencies of the application, including any additional information which must be supplied. A complete application shall consist of a fully completed notarized petition form, a site plan, elevations, required review fees as set by the Village Board of Trustees, preliminary engineering plans and the following supporting documents when applicable as determined by the Development Services Department. Additional documents not listed here may be requested as needed by the Development Services Department but shall not be used to determine completeness. A complete petition does not mean automatic scheduling rights to public meetings.
 - (1) Original, sealed Plat of Survey (ALTA or otherwise), including legal description.

(2) Receipted copy of the most recent property tax bill, or evidence of payment (copy of bill, canceled check, etc.).

(3) Responses to the Special Use Standards, Variance Standards and/or Rezoning Factors as needed on a per project basis (if applicable).

(4) Letter of authorization to petition from the property owner, if the property is rented/leased by the Petitioner.

(5) Copy of the contract to purchase and a letter of authorization to petition from the property owner, if the property is undergoing due diligence for a contract sale.

(6) Certified copy of the trust agreement, a list of beneficiaries, and a letter of authorization from the trust officer, if the property is owned by a trust. (Amd. Ord. 5167 – 2/20/17)

b. **Incomplete Application.** As long as an application remains incomplete, no further action shall be taken by the Village on the application until the deficiencies are corrected.

c. **Remedy of Deficiencies.** If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval may be terminated by the Village.

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 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 from Plan Commission to ~~the Committee of Trustees~~ **the Committee of the Whole, if required by Section 5-101.A.4**, or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.

d. **Final Plan Review Process.** The Development Services Department may continue to review the complete application for development and its preliminary plan throughout the decision-making process to make corrections or amendments to plans pursuant to recommendations by the Plan Commission and/or the ~~Committee of Trustees~~ **the Committee of the Whole, if required by Section 5-101.A.4**, and/or pursuant to conditions issued on approval by the Board of Trustees to develop a final plan for acceptance by the Board of Trustees.

e. **Final Engineering Review Process.** The Development Services Department shall review the engineering plans associated with the application for development after approval or approval with conditions has been granted by the Board of Trustees for the purpose of determining final engineering plans. Confirmation from the Development Services Department that final engineering has been completed shall allow the issuance of the various necessary Village permits and the plan to proceed toward implementation.

1. If final engineering comments result in substantial alterations to the Village Board approved final plan, the petitioner/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 over Village Board approved lot coverage;
- Changes to Village Board approved parking configurations;
- Changes that result in variances to Village Board approved plans or modifications to Village Board approved special use regulations; and
- Changes to the number of units, building area, or building stories.

L. Timing of Applications

1. Waiver of Time Limits.

a. **By Agreement.** Any time limit imposed by these regulations may be waived or extended by agreement among the Development Services Department, the Board of Trustees, and the petitioner or applicant.

b. **Automatic Waiver.** Any applicant who requests a continuance of a public meeting or a public hearing at which the applicant's application is being considered, or who requests an extension of any time limit imposed onto the applicant by statute or these regulations, shall be deemed to have agreed to an extension of that time limit.

2. Successive Applications.

a. **One Year Rule.** Whenever any application for development approval for a special use permit, variance, text and map amendment to the Zoning Map (rezoning), subdivision, or preliminary plan is denied, the petitioner will be notified that an application involving the same property shall not be accepted for filing within one (1) year from the date of denial.

b. **Exception.** An exception to the above rule is if the subsequent application involves a development proposal which is materially different from prior proposals, in the opinion of the Development Services Department, or is responsive, in the opinion of the decision-making body, to negative findings set forth in the denial of the prior application. (Ord. 2746 – 6/5/95)
(Entire Chapter Amended by Ord. 4411 – 9/2/08)

~~GENERAL DEVELOPMENT PROCEDURES~~

SECTION 5-108. TEXT AND MAP AMENDMENTS.

A. **Authority and Purpose.** The Board of Trustees is hereby authorized to amend the text of these regulations or the Zoning District Map in light of changing conditions and in light of changes to the Comprehensive Plan. The provisions of this Section are not intended to relieve particular hardships nor to confer special privileges.

B. **Initiation of Amendment.** Amendments to the text of these regulations or the Zoning District Map may be initiated by the Board of Trustees, the Plan Commission, the Village Manager, any resident of the Village of Orland Park or any developer of any property located within the Village of Orland Park or its planning jurisdiction. Any amendment initiated by a resident which involves a single parcel of land shall require the submission of an application to the Development Services Department in accordance with the provisions of Sections [5-101](#)(B-D). (Ord. 4411 - 9/2/08)

C. **Review.** After receipt of a complete application for an amendment, the Development Services Department, shall complete the review of the application and shall send a written recommendation to ~~a Committee of the Board of Trustees and to~~ the Plan Commission, with a copy to the applicant, if any, setting forth whether the amendment should be granted or denied, setting forth a recommended zoning district classification, if any, and stating the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the Village, the standards in Subsection A, above, and the Comprehensive Plan and any adopted overlay plan. ~~Such recommendation shall be submitted to a~~

~~Committee of the Board of Trustees and to the Plan Commission at least five (5) days prior to the required public hearing. (Ord. 4411 - 9/2/08)~~

~~D. **Review by Committee.** The Committee of the Board of Trustees shall review the all application for amendments prior to the public hearing by the Plan Commission. (Ord. 4411 - 9/2/08)~~

E. Action by Plan Commission.

1. **Public Hearing.** The Plan Commission shall conduct a public hearing to consider any amendment to the text of these regulations or the Zoning District Map in accordance with the provisions of Section [5-101\(E\)](#). (Ord. 4411 - 9/2/08)

2. **Text Amendment.** The Plan Commission shall review a proposed text amendment, the recommendation of the Development Services Department, and the testimony at the public hearing, and the Commission shall recommend to the Board of Trustees approval, **with or without conditions**, or denial of the amendment. (Ord. 4411 - 9/2/08)

3. **Map Amendment.** The Plan Commission shall review a proposed map amendment by considering the recommendation of the Development Services Department and the following factors, and shall recommend to the Village Board of Trustees approval, **with or without conditions**, or denial of the amendment.

a. **LaSalle Factors.** When reviewing an application for a map amendment (rezoning) the following factors apply for consideration. The factors below come principally from the 1957 case LaSalle v. County of Cook. The factors are known as the LaSalle Factors, which Illinois courts apply over rezoning issues.

1. The existing uses and zoning of nearby property;
2. The extent to which property values are diminished by a particular zoning classification or restriction;
3. The extent to which the destruction of property value of a petitioning property owner promotes the health, safety, morals, or general welfare of the public;
4. The relative gain to the public as opposed to the hardship imposed on a petitioning property owner;
5. The suitability of the subject property for its zoned purposes;
6. The length of time the property has been vacant as zoned, considered in the context of land development in the area;
7. The Comprehensive Plan designation and the current applicability of that designation; and
8. The evidence or lack of evidence, of community need for the use proposed.

(Ord. 4411 - 9/2/08)

F. Action by the Committee of the Whole. The Committee of the Whole shall review all proposed text amendments, the recommendation and report of the Development Services Department, the testimony and evidence submitted at the public hearing, and the Plan Commission recommendation, and shall recommend approval, with or without conditions, or disapproval to the Board of Trustees. The Committee of the Whole, if required by Section 5-101.A.4, shall review all proposed map amendments, the recommendation and report of the Development Services Department, the testimony and evidence submitted at the public hearing, and the Plan Commission recommendation and shall recommend approval, with or without conditions, or disapproval to the Board of Trustees.

G. Action by Board of Trustees. The Board of Trustees shall review the proposed amendment, the recommendation and report of the Development Services Department, the Plan Commission recommendation, the Committee of the Whole recommendation if required by Section 5-108.F or Section 5-101.A.4, and shall grant, with or without conditions, or deny the amendment. ~~the recommendations of the Development Services Department and the Plan Commission, and shall grant or deny the amendment within thirty (30) days of receipt of the recommendation of the Commission.~~

SECTION 5-112. DEVELOPMENT AND SUBDIVISION REQUIREMENTS.

SECTION 5-112.E.9.e.3

3. **Landscape Plan Review and Inspections.** All preliminary landscape plans submitted to the Village in conjunction with single family and multifamily developments over two (2) units and with all non-residential developments, or for any other required landscape plans as detailed in Section [6-305](#) Landscape and Tree Preservation, shall be reviewed by the Plan Commission, ~~Committee and Board of Trustees~~ **the Committee of the Whole, if required by Section 5-101.A.4,** before Village **Board** approval. All final landscape plans shall incorporate conditions of approval of the Board approved preliminary landscape plan, and shall be reviewed and receive final approval from the Development Services Department upon recommendation of approval by the Village landscape consultant, if applicable.

Upon installation of required landscaping, the developer or property owner shall contact the Development Services Department to schedule a landscape inspection, which will initiate the landscape inspection process. All landscaping shall be inspected for proper installation and compliance with the approved landscape plan and any associated documentation, including hydro-period analyses or M&M Plans. A minimum of three (3) years of consecutive naturalized landscape area inspection approvals shall be attained before Village approval and acceptance of any stormwater management area. A minimum of one (1) year of site landscape approvals shall be attained before a letter of credit reduction can be requested. No letter of credit release shall be issued until a final landscape inspection approval has been granted by the Development Services Department. The fees charged to the Village by its landscaping consultant for landscape plan review shall be paid by the petitioner to the Village at the time of petition. Fees charged to the Village by its landscaping consultant for inspections of installed landscaping shall be paid by the petitioner to the Village by the applicant before final letter of credit release. (Ord. 3672 – 8/5/02; Amd. Ord. 5061–1/18/16; Amd. Ord. 5221 – 9/18/17; Amd. Ord. 5312 – 7/16/18)

SECTION 5-112.H.15-17

15. **Timing of Payment.** Cash contributions required under this Section shall be paid as follows:

a. All fees required pursuant to this Section, including fees arising from the development of land located in the Village's one and one-half (1-1/2) mile planning jurisdiction that may be the subject of an intergovernmental agreement, shall be due and owing prior to final plat approval by the Board of Trustees, or as provided by the terms of a ~~developer-developer~~ **development** agreement entered into between the Village and an applicant. However, if the applicant's lands are the subject matter of an annexation agreement, payment shall be made at the times and in the manner provided in said annexation agreement. (Ord. 4412 - 9/2/08)

b. It shall be the duty of the Village Comptroller to establish regulations and procedures for the collection and administration of the cash contributions required under this Section.

16. **Credit for Land or Contribution of Cash in Lieu of Land Given Under Annexation Agreements.** If an applicant has given land and a contribution of money or a contribution of cash in lieu of land as part of an annexation agreement and thereafter the applicant or his or her successors submits a plan of subdivision or resubdivision or final development plan which will increase the density of population in those areas covered by the annexation agreement, then the applicant shall be required to make an additional contribution of park and recreation land or land for school sites or land for transportation facilities or of cash in lieu thereof as outlined above. The additional land or cash in lieu of land to be contributed shall be the difference between that land or cash in lieu of land required as determined from the plat of subdivision or resubdivision or final development plan and that land or cash in lieu of land previously contributed under the annexation agreement.

17. **Developer Agreements.** **Upon review and recommendation of the Committee of the Whole and approval by the Board of Trustees,** the Village may enter into a ~~developer~~ **development** agreement with any applicant which sets forth the time and manner of compliance with the terms of this Section and implementation of any other provisions of these regulations. If any ~~developer~~ **development** agreement has previously been entered into between the Village and an applicant, and that agreement remains in full force and effect, the provisions of that agreement shall control and this Section shall have no force and effect, provided that the applicant complies with the terms of such agreement. However, if such applicant is not complying with the terms of that agreement or the agreement does not set forth a specific dollar amount that the applicant is required to pay to the Village, then the provisions of this Section shall apply and the Village shall utilize the fees set forth herein to determine the appropriate exaction amount, less credits, if any. Further, if the development contemplated by an applicant has either increased in density or has otherwise increased the traffic on the Village's transportation system previously estimated following annexation, then the ~~developer~~ **development** agreement previously entered into between the applicant and the Village shall be amended and the applicant shall pay an additional pro-rata fee, based on the fees set forth in this Section, less credits, if any. (Ord. 4412 - 9/2/08)

18. **Audit Reports.** The Village shall have the right to request and receive from the affected school districts, or such other appropriate agencies, annual audit reports and any other information the Village may need from time to time to insure compliance with this Section.

19. **Indemnification.** The affected school districts, or such other appropriate agencies, shall be required, as a condition of receiving the donations hereunder, to indemnify and hold harmless the Village from any loss, claims and causes of actions of every kind incurred by the Village as a result, either directly or indirectly, of the passage of this Section, or the administration or enforcement thereof, including any so incurred as a result of a lawsuit brought or threatened by an applicant.. If the Village is sued by any applicant as a result, directly or indirectly, of the passage of this Section, the school district or other appropriate agencies affected may, at its option, undertake the defense thereof but all costs and expenses of such defense, including attorneys' fees, shall then be borne by the affected school district or appropriate agencies. (Ord. 4412 - 9/2/08)

SECTION 3-101. BOARD OF TRUSTEES.

In addition to any authority granted the President and Board of Trustees by state law or other ordinances of the Village, the President and Board of Trustees shall have the following powers and duties:

A. To adopt, review and amend the Comprehensive Plan for the Village, the Capital Improvements Plan and such overlay plans as they may deem necessary and appropriate;

B. To review ~~by Committee~~ all applications for special use permits, map and text amendments and preliminary plans prior to public hearing by the Plan Commission in accordance with the provisions of Sections [5-105\(I\)](#), [5-108](#) and [5-112\(D\)](#).

C. To hear, review, approve or disapprove special use permits after recommendation by the Plan Commission in accordance with the provisions of Section [5-105\(I\)](#);

D. To hear, review and approve appeals from special use permits in accordance with the provisions of Section [5-105\(H\)](#);

E. To initiate, hear, review and adopt amendments to the Zoning District Map after recommendation by the Plan Commission in accordance with the provisions of Section [5-108](#);

F. To initiate, hear, review and adopt amendments to the text of these regulations after recommendation by the Plan Commission in accordance with the provisions of Section [5-108](#);

G. To hear, review and approve or disapprove all applications for approval of plats of subdivision in accordance with the provisions of Section [5-112](#); and

H. To take such other action not delegated to the Plan Commission as the Board of Trustees may deem desirable and necessary to implement the provisions of these regulations and the Comprehensive Plan.
(Amd. Ord. 5167 – 2/20/17)

SUBSTANTIVE AMENDMENT: **UPDATE TO THE OLD ORLAND HISTORIC DISTRICT CERTIFICATE OF APPROPRIATENESS REVIEW PROCESS**

AMENDMENT SUMMARY

SECTION 6-209.G

- The review process for Certificate of Appropriateness applications is updated to remove the “Committee of Trustees” from the tables listed in Section 6-209.G to reflect the changes to replace the Development Services, Engineering and Planning Committee with the Committee of the Whole, as approved by the Village Board on November 18, 2019.

AMENDMENT EXPLANATION

The proposed amendment will remove the Committee of Trustees from the tables outlining the Certificate of Appropriateness review process. Table 6-209.G.1, which details the review and approval process for contributing structures and landmarks in the Old Orland Historic District, and Table 6-209.G.2, which details the review and approval process for non-contributing structures and new construction, are revised to reflect the changes to replace the Development Services, Engineering and Planning Committee with the Committee of the Whole, as approved by the Village Board on November 18, 2019.

PROPOSED AMENDMENT TEXT

SECTION 6-209.G

G. Review Process for Certificate of Appropriateness.

The Certificate of Appropriateness review process is designed to protect historic properties from insensitive or non-conforming alterations and to ensure new buildings are compatible in design with older buildings in the Old Orland Historic District. The process for Certificates of Appropriateness is outlined in Section [5-101](#) of the Land Development Code (5-101.C and 5-101.D) and shall follow the requirements outlined in Section [5-110](#) of the Land Development Code pertaining to Landmarks. (Ord. 5312 – 7/16/18)

The tables below outline the Certificate of Appropriateness review and approval process for the three categories of buildings in the OOH District and landmarks and are followed by descriptions of the terms used. Once the required review and approval is obtained, building permits must be procured from the Village before the proposed work begins.

<u>Table 6-209.G.1: Review and Approval Process for Contributing Structures and Landmarks</u>					
	Public Hearing	Plan Commission	Committee of Trustees	Board of Trustees	Administrative Review
Major Change (All)	X	X	X	X	
Minor Change (Landmarks)		X	X	X	
Minor Change (Contributing Structures)					X
Routine Maintenance					X
COA for Demolition	X	X	X	X	

Table 6-209.G.2: Review and Approval Process for Non-Contributing Structures and New Construction					
	Public Hearing	Plan Commission	Committee of Trustees	Board of Trustees	Administrative Review
Major Change (All)					X
Minor Change (All)					X
Routine Maintenance					X
COA for Demolition (All)					Not Required
New Construction (Freestanding Residential)					X

Table 6-209.G.1: Review and Approval Process for Contributing Structures and Landmarks				
	Public Hearing	Plan Commission	Board of Trustees	Administrative Review
Major Change (All)	X	X	X	
Minor Change (Landmarks)		X	X	
Minor Change (Contributing Structures)				X
Routine Maintenance				X
COA for Demolition	X	X	X	

Table 6-209.G.2: Review and Approval Process for Non-Contributing Structures and New Construction				
	Public Hearing	Plan Commission	Board of Trustees	Administrative Review
Major Change (All)				X
Minor Change (All)				X
Routine Maintenance				X
COA for Demolition (All)				Not Required
New Construction (Freestanding Residential)				X

SUBSTANTIVE AMENDMENTS: **ESTABLISH CRITERIA FOR SITE AND ELEVATION PLANS**

AMENDMENT SUMMARY

SECTION 2-102

- Definitions are added to define site plan and building elevations.

SECTION 5-101.K

- Language is added outlining the information required to be provided on both site plan and building elevations.
- Language is reformatted and added to clarify complete application submittals.

AMENDMENT EXPLANATION

The Land Development Code references site plan and building elevation review, however the Code is silent in what exactly a site plan or building elevation is and what is required on such plans. To provide clarification and consistency in plans, the proposed text amendment clearly defines the two terms while establishing all information that is to be provided on the site plan and building elevations. The information required for site plans will ensure staff, Plan Commission, Village Board, and the petitioner will have the necessary information to conduct a complete and comprehensive review. Language is also added and reformatted to clarify what a complete application consists of.

PROPOSED AMENDMENT TEXT

SECTION 2-102

Building Elevations means architectural plans or drawings prepared to scale and fully dimensioned, illustrating the exterior design and character of the building, construction types, specific building materials, and colors on all four sides of the proposed structure.

Site Plan means a plan, prepared to scale, showing accurately the boundaries of a site and including but not limited to the location of all buildings, structures, uses, access drives, roadways, parking, sidewalks, and any other site development features proposed on a specific parcel of land.

SECTION 5-101

K. Role of the Development Services Department

1. Conference with the Development Services Department.

a. **Pre-Application Conference.** A petitioner or an applicant for development approval may request an informal conference with the Development Services Department prior to filing a petition or application. The pre-application conference shall be informal and its purpose shall be to discuss the proposals, views and concerns of the applicant and the Village, and to review for compliance with codes, plans and policies.

2. Application Submission Requirements.

a. **Application and Fee.** When the petitioner or applicant is ready following the pre-application conference, all applications for development approval shall be submitted to the Development Services Department accompanied by the payment of a fee as authorized in Section [1-104](#). Applicants for development approval may be required to submit additional information.

3. **Complete Applications.**

- a. **Determination of Completeness.** Within fifteen (15) days after receipt of an application for development approval, the Development Services Department shall determine whether the application is complete. If it is determined that the application is complete, the applicant will be notified in writing that the application has been accepted for filing. If the application is not complete, the applicant shall be notified, specifying the deficiencies of the application, including any additional information which must be supplied. ~~A complete application shall consist of a fully completed notarized petition form, a site plan, elevations, required review fees as set by the Village Board of Trustees, preliminary engineering plans and the following supporting documents when applicable as determined by the Development Services Department. Additional documents not listed here may be requested as needed by the Development Services Department but shall not be used to determine completeness. A complete petition does not mean automatic scheduling rights to public meetings.~~
- ~~(1) Original, sealed Plat of Survey (ALTA or otherwise), including legal description.~~
 - ~~(2) Receipted copy of the most recent property tax bill, or evidence of payment (copy of bill, canceled check, etc.).~~
 - ~~(3) Responses to the Special Use Standards, Variance Standards and/or Rezoning Factors as needed on a per project basis (if applicable).~~
 - ~~(4) Letter of authorization to petition from the property owner, if the property is rented/leased by the Petitioner.~~
 - ~~(5) Copy of the contract to purchase and a letter of authorization to petition from the property owner, if the property is undergoing due diligence for a contract sale.~~
 - ~~(6) Certified copy of the trust agreement, a list of beneficiaries, and a letter of authorization from the trust officer, if the property is owned by a trust. (Amd. Ord. 5167—2/20/17)~~

A complete application shall consist of the following documents, unless otherwise determined by the Development Services Department:

- 1. A fully completed notarized petition form**
- 2. Site plan**
- 3. Building elevations**
- 4. Required review fees as set by the Village Board of Trustees**
- 5. Preliminary landscape plan**
- 6. Preliminary engineering plans**
- 7. Preliminary plat of subdivision**
- 8. Traffic study, if required by Section 6-405**
- 9. Original, sealed Plat of Survey (ALTA or otherwise), including legal description.**
- 10. Disclosure of ownership information:**
 - a. A receipted copy of the most recent property tax bill, or evidence of payment (copy of bill, canceled check, etc.)**
 - b. A copy of the current title insurance policy**
 - c. If the property is owned by the petitioner, a copy of the latest recorded deed**
 - d. If the property is rented or leased by the petitioner, a letter of authorization to submit the petition from the property owner**
 - e. If the petitioner is a contract purchaser and the property is undergoing due diligence for a contract sale, a copy of the contract to purchase and a letter of authorization to submit the petition from the property owner**
 - f. If the property is owned by a trust, a certified copy of the trust agreement, a list of beneficiaries, and a letter of authorization to submit the petition from the trust officer**

- g. Copy of any covenants, conditions, easements, or restrictions placed on the property and now of record concerning use limitations, the type of improvements, setbacks, area or height requirements, occupancy, etc.
- 11. Responses to the Special Use Standards, Variance Standards and/or Rezoning Factors, as needed on a per project basis, if applicable
- 12. Additional supporting documents listed within the Development Services Development Petition Application packet
- 13. Additional documents not listed here may be requested as needed by the Development Services Department but shall not be used to determined completeness. A complete petition does not mean the right to automatic scheduling to public meetings or public hearings.
- b. Site Plan. As required above, a Site Plan shall accompany all applications. Where applicable, all site plans shall include the following information. At the discretion of the Development Services Department, one or more of the following requirements may be waived or additional information may be requested.
 - 1. General Requirements:
 - Plans prepared to a scale, sites less than 2 acres 1"=20' and 2 acres or more 1"=40', parcels greater than 15 acres may be of smaller scale however in no case less than 1"=100'
 - Location of tract by an insert map
 - Parcel Identification Number (PIN)
 - 2. Title Block and Drawing Title on Every Sheet:
 - Development Name
 - Name and address of consultant preparing plans
 - Project Name
 - Scale
 - North arrow
 - Address of site (to include township)
 - Date, with all revision dates
 - Sheet Number(s) and exhibit labels
 - Legend
 - 3. Data Box:
 - Current and proposed Zoning district classification and land use(s)
 - Gross area of subject site and Net area (buildable)
 - Landscaped area, total size of all principal and accessory buildings
 - Area of wetlands, floodway, floodplain detention/retention ponds, open water
 - Floor area ratio, square footage of buildings and number of floors
 - Number of required parking spaces (including handicapped)
 - Number of parking spaces provided (including handicapped)
 - Gross impervious surface area and lot coverage, as defined by Section 2-102, and percentage of site coverage
 - Number of lots and buildings
 - For residential developments, table indicating smallest, largest and average lot size, total number of lots/dwelling units and density (dwelling units per acre, gross and net density)
 - Area of common/private open space and park land
 - 4. Elements Of Drawing:
 - Location and dimensions of property boundary lines, lot lines, and street right-of-way lines, including required setbacks

- All proposed buildings and existing buildings to remain on the site, including dimensions, square footage, setbacks, and building separation measurements.
 - All buildings within fifty (50) feet of the site boundaries, including existing zoning and land use(s)
 - Name, location, dimensions, widths, and materials of existing and proposed streets, right-of-ways, driveways, access points, points of ingress/egress, turn lanes (existing and proposed), parking lots, sidewalks, pedestrian paths, bike paths, and other impervious surfaces on the subject site and adjacent properties within fifty (50) feet of the site boundaries
 - Location, dimensions, and purpose of all easements and underground utilities (proposed and existing on the subject site and adjacent properties)
 - Parking areas marked with stalls and dimensioned
 - Loading areas
 - Detention or retention areas (proposed and existing), proposed high water line, existing water bodies, wetland boundaries and required buffers/setbacks, streams, floodplain/floodway
 - Location of existing trees and notable natural features
 - Location of lighting, including adjacent R.O.W. lighting
 - Location and dimension of landscaped areas, including landscape islands
 - Location of park land/open space, designated private open areas or recreational facilities, and schools
 - Location of signs (existing and proposed) type, size, and height of existing and proposed
 - Location of type, size, and height of existing and proposed screening, fencing, retaining walls, trash enclosures
 - Turning radius showing adequate maneuverability for all emergency and delivery vehicles
 - Floor (and seating) plan
- c. **Building Elevations.** As required above, when applicable, buildings elevations shall accompany all applications. All building elevations shall include the following information. At the discretion of the Development Services Department, one or more of the following requirements may be waived or additional information may be requested.
1. **General Requirements**
 - All plans prepared by a licensed architect
 - Plans prepared to a scale and fully dimensioned
 2. **Title Block and Drawing Title on Every Sheet:**
 - Development Name
 - Name and address of consultant preparing the plans
 - Address of site (to include township)
 - Date, with all revision dates
 - Sheet Number(s)
 3. **Elements Of Drawing:**
 - Architectural depiction of all four (4) side of the proposed structure(s)
 - Height of proposed structure(s), and all other pertinent dimensions
 - Proposed materials and colors clearly indicated as to where proposed. Material samples and/or specification sheets showing appearance, type, color, and texture of all exterior building materials
 - Proposed roofing material and color
 - Screening material of mechanical equipment

- Elevation, style, material, color, and dimensions of fencing, retaining walls, trash enclosures, and other accessory structures
- Proposed wall signage
- Proposed wall lighting
- All proposed special features or architectural elements

B d. Incomplete Application. As long as an application remains incomplete, no further action shall be taken by the Village on the application until the deficiencies are corrected.

C e. Remedy of Deficiencies. If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval may be terminated by the Village.

SUBSTANTIVE AMENDMENT: **UPDATE TO THE SIGN CODE**

AMENDMENT SUMMARY

SECTION 6-307

- A new sign district and table is created for Sign District #5 to provide regulations for signs in the Old Orland Historic District (OOH) within the Sign Code Section 6-307. Language is removed from Section 6-209.E to remove sign regulations currently listed in the Old Orland Historic District
- Language is added to clarify that Drive-Through Accessories shall be approved via a sign permit and are subject to the requirements of Section 6-302.K of the Land Development Code
- Language is added to clarify the permitted signage on gas station service station islands
- Language is added to reference landscaping requirements around the base of all ground signs in accordance with the existing regulations noted in Section 6-305.D.7 of the Land Development Code
- Language is added to Sign District #1: Residential to clarify that monument signs or dual post signs shall be prohibited for individual single-family lots

SECTION 6-209.E

- Language is deleted to remove existing signage regulations listed in the Old Orland Historic District to reflect the new signage regulations to be located in Section 6-307 Signs.

AMENDMENT EXPLANATION

The proposed amendments to Section 6-307 clarify regulations within the Sign Code section of the Land Development Code. After reviewing sign permit applications using the new Sign Code, staff found that some regulations required clarification for consistent administration of the code. Revisions are added for gas station signage and for monument and dual post signs in Sign District #1 (Residential). References are included for Drive-Through Accessories signage, such as menu boards and preview boards, per Section 6-302.K and landscaping requirements for monument signs per Section 6-305.D.7.

Additionally, an amendment is proposed to Section 6-209.E, which removes the existing signage regulations for the Old Orland Historic District (OOH). The regulations for signs in the OOH District are currently separated from the Village's other signage requirements listed in Section 6-307. Language from Section 6-209.E is removed and revised to reference the new sign code requirements in Section 6-307 in order to provide a clear and consistent format so that the code is easier to understand. New sign regulations are created under Sign District #5 in Section 6-307 so that all signage regulations for each zoning district would now be included within the Sign Code. The current signage requirements for buildings in the OOH District are also outdated. The proposed changes will help make the code requirements easier to understand and calculate as well as provide regulations that are consistent with how the updated Sign Code measures allowable sign face area. The newly established Sign District #5 includes specific regulations for wall signs, awning signs, projecting signs, monument signs, and dual post signs.

PROPOSED AMENDMENT TEXT

SECTION 6-307 - SIGNS

The proposed amendments to Section 6-307 are displayed in **red text** within the attached **Exhibit B - Section 6-307 Signs - Proposed Amendments** dated 11/25/2019.

SECTION 6-209.E – OLD ORLAND HISTORIC DISTRICT

E. Signage.

Signs in the OOH District shall be compatible with the architecture, scale and design of the building of which it is a part. Signs should not obscure or overwhelm architectural details. Building directories are encouraged for multi-tenanted buildings. **All signs shall conform to the requirements listed in Section 6-307 Signs.**

~~1. Flat Wall Signs.~~

~~Only one (1) sign shall be permitted per lot frontage on a public right-of-way. The maximum sign area shall be 7.5% of the area of the first two (2) stories of building elevation on which it is placed, or for a multi-tenant retail-commercial building, each tenant may have a sign area not to exceed 7.5% of the area of its leased exterior storefront. Wall signs may not cover any part of a window or extend above the roof line.~~

~~2. Canopies or Awnings.~~

~~Canopies or awnings are considered to be wall signs and must be opaque and made of fabric. Lettering should be confined to the area of the awning perpendicular to the sidewalk. Avoid lettering on slants and curves. Lettering must not exceed twenty percent (20%) of the total canopy or awning area, subject to the other wall sign limitations, and be limited to placement above windows and doors.~~

~~3. Projecting Signs.~~

~~Projecting signs cannot extend more than 3 feet into the public right-of-way. The bottom of the sign must be at least 7 feet from the ground. The maximum size of such sign shall be ten (10) square feet. Such signs shall not be internally illuminated.~~

~~4. Window Signs.~~

~~Window signs may cover no more than fifteen percent (15%) of the window area and lettering shall be painted. Sign area shall be calculated by drawing a box around each word.~~

~~5. Freestanding Signs.~~

~~Permanent freestanding signs shall only be permitted on lots forty (40) or more feet in width. The maximum sign face area shall be twenty (20) square feet with a maximum height of five (5) feet. Message boards are not permitted.~~



~~Wall and Window Signs~~



~~Signage Examples:~~

~~1. Window Signs~~

~~2. Wall Signs~~

~~3. Canopy Signs~~

4. Projection Signs



Freestanding Sign

SUBSTANTIVE AMENDMENT: **UPDATE TO THE REQUIREMENTS FOR DRIVE-THROUGH ACCESSORIES**

AMENDMENT SUMMARY

SECTION 6-302.K

- Language is added to clarify the location of Drive-Through Accessories and landscape screening requirements for landscape bufferyards.
- Language is removed to clarify the requirements for Drive-Through Structures listed under Section 6-302.K Drive-Through Accessories.

AMENDMENT EXPLANATION

An amendment is proposed to revise language to clarify where Drive-Through Accessories shall be located. Language is added to specify that Drive-Through Accessories shall not be located between the buildings and streets, except if approved via a Special Use Permit. Additionally, the Code currently states that Drive-Through Structures shall not extend beyond 20% of the size of the menu board in surface area. The proposed amendment removes this language, which is unclear.

PROPOSED AMENDMENT TEXT

SECTION 6-302.K

K. Drive-Through Accessories.

1. Drive-Through Accessories shall be screened from all public right of ways and adjacent residential properties in accordance with the Screening Requirements set forth in Section [6-308.J](#) and **Section 6-305.D.4 Landscape Bufferyards**. No Drive-Through Accessories shall be located ~~within~~ **between** the building setback **area and the street, except in conjunction with a Special Use Permit.**

2. Drive-Through Accessory Standards.

a. Drive Through Structures are subject to the following conditions:

1. Drive-Through Structures shall not exceed fourteen (14) feet in height.

~~2. Drive-Through Structures shall not extend beyond 20% of the size of the menu board in surface area.~~

b. Menu Boards are subject to the following conditions:

1. One (1) Menu Board shall be allowed per Order Confirmation Point.

2. Menu Boards shall not be more than fifty (50) square feet in surface area.

3. The highest point of a Menu Board shall not exceed a height of seven (7) feet from grade.

4. Menu Boards shall not exceed two (2) feet in dimensional depth.

5. A minimum five (5) foot wide on average landscape planting bed shall be installed around the entire base of all new permanent menu boards. A minimum of fifty percent (50%) of the area of the landscape bed around a menu board shall be occupied by vegetation. Vegetation should have year-round interest and should include shrubs, ornamental grasses and perennials; turf grass is not permitted. Plantings should be large enough to cover or soften the base of the menu board without blocking the displayed information.

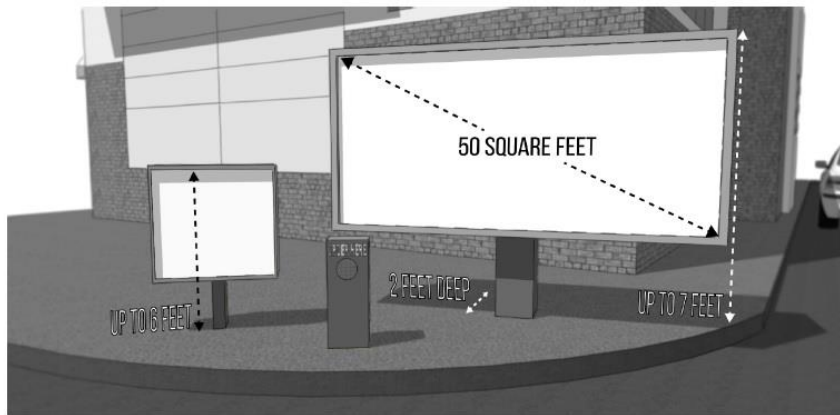
c. Preview Boards are subject to the following conditions:

1. One (1) Preview Board shall be allowed per Order Confirmation Point.

2. Preview Boards shall not exceed 50% of the surface area of the primary Menu Board.

3. Preview Boards shall not exceed a height of six (6) feet.

Figure 6-302.K.2 - Drive-Through Accessories



3. Digital Menu Board Brightness Size.
 - a. The maximum permitted brightness for a Digital Menu Board shall be determined by the total area that emits light. The regulations for Digital Menu Board size and brightness are set forth in Table 6-302.K.3.A. Digital Menu Board size shall be rounded to the closest correlated size listed in Table 6-302.K.3.A when defining maximum permitted brightness.

Table 6-302.K.3.A

Menu Board Screen Size (Square Feet)	Menu Board Brightness (Nits)
0 - 25	3500
30	3200
35	2900
40	2600
45	2300
50	2000

(Amd. Ord. 5221 – 9/18/17)

SUBSTANTIVE AMENDMENT: **UPDATE TO SCREENING REQUIREMENTS**

AMENDMENT SUMMARY

SECTION 6-308.J

- Language is revised to amend the screening requirements for mechanical equipment and service, storage, utility, and loading areas.

AMENDMENT EXPLANATION

The proposed amendment updates the existing regulations for the screening of service areas, utility areas, loading areas, storage areas, overhead doors, trash collection and recycling areas, and other potentially unattractive places listed in Section 6-308.J. The proposed language also includes specific code requirements for roof-mounted and ground-mounted mechanical equipment.

PROPOSED AMENDMENT TEXT

SECTION 6-308.J

J. Screening.

- ~~1. Screening of service yards, utility meters and hardware, overhead doors, mechanical equipment, refuse areas, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls, fencing, planting, or combinations of all of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls are required along street frontages and bordering residential areas that parapet walls must be at least 3 feet in height and constructed of matching building materials to the principal structure. (Ord. 2959 11/18/96; Amd. Ord. 3837 12/1/03)~~
- ~~a. Adjusting the architectural or landscape profile to screen those elements from view;~~
- ~~b. Placing those elements on service courts or other locations not usable by the general public; or~~
- ~~c. Integrating those elements into the architecture or landscaping of the site.~~
- ~~2. The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:~~
- ~~a. The degree of visibility from all adjacent public ways;~~
- ~~b. The architectural compatibility of the design and color of the yards, meters and equipment of the building;~~
- ~~c. Possible visibility from future buildings and public ways; and~~
- ~~d. Internal overall appearance in relation to the site.~~

1. Service areas, utility areas, loading areas, storage areas, mechanical equipment, overhead doors, trash collection and recycling areas, and other potentially unattractive places shall be completely screened from view on all sides so that no portion of such areas are visible from streets, drives, and adjacent properties. Screening shall be accomplished by the use of walls, fencing, landscaping, or a combination of measures. Screening shall be equally effective in the winter and the summer seasons. Screening shall be architecturally compatible with the principal building in terms of design type, materials, and colors. Wherever possible, mechanical equipment shall be contained within buildings or shall be roof-mounted per Code requirements.

2. Ground-based mechanical equipment shall be located in rear or interior side yards. All ground-based mechanical equipment, including, but not limited to, heating, ventilating, and air-conditioning units (HVAC), shall be fully screened from public view in accordance with the screening regulations of this Section.

3. Roof-mounted mechanical equipment shall be fully screened from view by parapet walls, the roof structure, architectural elements, or an alternative screening structure. The height of the screening shall be equal to or taller than the height of the tallest point of the mechanical equipment installed on the building. Such screening shall be constructed of building materials that match the principal structure to blend in with and complement the architecture of the building. New buildings and structures shall be designed to provide a parapet wall or other architectural building element that is equal to or taller than the height of the tallest point of the mechanical equipment installed on the building. Screening walls shall be architecturally consistent with the structure and match the existing structure's paint, finish, and trim detail.

(Ord. 2959 - 11/18/96; Amd. Ord. 3837 - 12/1/03)

SUBSTANTIVE AMENDMENT: **UPDATE TO PARKING LOT SCREENING AND SETBACK REQUIREMENTS**

AMENDMENT SUMMARY

SECTION 6-305.D.6.a.1.i

- Language is added to clarify parking lot screening requirements for shared parking scenarios detailed in Section 6-305.D.6.a.1.i.

AMENDMENT EXPLANATION

The proposed amendment clarifies requirements for shared parking lots. Language is added to allow for a reduction to the parking lot screening and setback requirements along shared lot lines to accommodate shared parking lots.

PROPOSED AMENDMENT TEXT

SECTION 6-305.D.6.a.1.i

i. All parking lot areas greater than seven (7) parking spaces shall be significantly screened from view from adjacent properties and streets with landscaping, ornamental fencing, masonry wall, or a combination thereof. A minimum ten (10) foot wide planting bed shall be required around the perimeter of all required parking lots that are visible from adjacent properties and streets. The setback distance between a parking lot and adjacent property line shall in all cases be a minimum of ten (10) feet, as measured from the parking lot back of curb. **Parking lot screening and setback requirements shall be waived between lot lines for shared parking lots, as determined by the Development Services Department.**

CLARIFICATION AMENDMENTS: **MINOR MODIFICATIONS TO PREVIOUSLY APPROVED LAND DEVELOPMENT CODE AMENDMENTS**

AMENDMENT SUMMARY

- **Section 6-202 R-1 Residential**: Revise number of format
 - Correct formatting error
- **Section 6-302 Accessory Use**: Text relating to air conditioners, decks, vending machines, and wind energy conversion system erroneously omitted.
 - Re-insert Air Conditions into Table 6-302C.1(A)-Attached Accessory Structure
 - Update “Specific Standards” column for Decks from 6-302.C.42 to 6-302.C.43
 - Re-insert “Vending Machines” and “Wind Energy Conversion Systems” in to Section 6-302.C.1B.
- **Section 6-304 Temporary Uses**: Section relating to revisions for temporary hiring offices, not properly noticed
 - Update the maximum length of time a permit can be issued to clarify that the date occupancy is granted is for the temporary hiring office and not the principle use of the site under construction.
 - Update that the trailer or temporary structure must be removed before conditional or full occupancy is granted for the principle non-residential construction project.
- **Section 6-314 Environmental Technology Standards**: Revise number of format and add or remove minor text
 - The addition of the word “be” in the section relating to “Building-Mounted Systems” in C.2
 - Reformat as Section D.4 had duplicate “g”.
 - the removal of the word “and” in the section relating to “Test WECS” in Section E.5.1

AMENDMENT EXPLANATION

On March 4, 2019, the Village Board formally approved various revisions to the Land Development Code. During the codification process, errors have been identified. To ensure proper process and amendments are conveyed, the Plan Commission must review and approve the following items, as outlined below.

SECTION 6-202 R-1 RESIDENTIAL DISTRICT

The format for the Place of worship in the R-1 District is currently incorrect. The proposed revisions below will clean-up the format. No change to the use is proposed.

SECTION 6-302.C ACCESSORY STRUCTURES AND USES.

With the adoption of the Land Development Code amendments approved by the Village Board on March 4, 2019, various items were erroneously omitted from Section 6-302. Since the approval ordinance replaced Section 6-.302 C in its entirety, the Plan Commission must review and amend this Section to include those items not previously included. It was never the intent to eliminate such regulations with the adoption of the updates.

SECTION 6-304 TEMPORARY USES

This proposed revisions appeared before the Plan Commission in December of 2018. However, such revisions to the Land Development Code were not properly noticed therefore, to make the proposed revision legal, the

Plan Commission must consider the proposed revision again, as properly noticed. There have been no changes to the amendment as presented and reviewed in December of 2018.

An amendment is proposed to the requirements for temporary hiring offices. It was identified that there may be confusion as to whether the length of a permit issued by the Building Department would be 45 days from the date occupancy was granted for the temporary hiring office or the principle non-residential construction project.

The intent of this update is to clarify the maximum length of a permit issued by the Building Department. The current code states that the maximum length of a permit for a temporary hiring office shall be 45 days from the date occupancy is granted, but does not clarify that the occupancy is referring to the hiring office and not the principle non-residential construction project. It is recommended that the maximum length of the permit be updated to clarify that the 45 days from the date of occupancy refers to the occupancy of the temporary use and not the principle structure under construction.

SECTION 6-314 ENVIRONMENTAL TECHNOLOGY STANDARDS.

With the adoption of the Land Development Code amendments approved by the Village Board on March 4, 2019, Section 6-314 was replaced in its entirety with the revisions presented. During the codification process errors were identified, and the proposed revisions outlined below clarify those items. It is noted the proposed revisions do not modify the intent of the originally approved ordinance, as the revisions are minor in nature.

PROPOSED AMENDMENT TEXT

SECTION 6-202. R-1 RESIDENTIAL DISTRICT.

4. Places of worship which may include overnight shelter for up to eight (8) adults, provided that:
 - a. The use is located on a lot not less than 12,000 square feet and a width of 90 feet; and
 - ~~6~~ **b.** No structure is located within 25 feet of a side lot line.

SECTION 6-302.C ACCESSORY STRUCTURES AND USES.

- Table 6-302.C.1(A) – Attached Accessory Structures - Amendments are included in **Exhibit C**
- Permitted Accessory Structures and Uses. The following regulations to be reinserted.

45. Vending Machines: Permitted for non-residential uses in the VCD, BIZ, COR and ORI Districts, and must be positioned as close to the building as possible meeting the requirements of the Village Code and applicable rules and regulations.

46. Wind Energy Conversion Systems: See Section 6-314 Environmental Technology Standards.

SECTION 6-304.C. 10. Temporary Hiring Offices.

10. Temporary Hiring Offices.
 - a. Permitted in any district where the use is accessory to a non-residential construction project. Such offices shall not be used as a residence, and shall not contain any sleeping or cooking

accommodations. All such offices shall comply with the Illinois Accessibility Code and Illinois Plumbing Code.

- b. The maximum length of a permit issued **for the temporary hiring office** by the Building Department shall be 45 days from the date occupancy is granted- **for the temporary hiring office.**
- c. If the temporary hiring office is in a trailer or similar temporary structure, the trailer or structure shall be removed upon completion of the construction project and before a Conditional or Full Certificate of Occupancy is issued **for the principle non-residential construction project.**
- d. If the temporary hiring office is in a trailer or similar temporary structure, a bond shall be provided prior to the issuance of a permit, in an amount not less than \$5,000.00 to assure the removal of the trailer or similar temporary structure, disconnection of any utilities which were connected thereto, and storage of the trailer after removal. Storage costs shall be assessed at \$100.00 per day. The bond shall expire not less than 60 days after the end of the permit period or any renewal period granted.
- e. No such office shall be used as a primary office headquarters.

SECTION 6-314 ENVIRONMENTAL TECHNOLOGY STANDARDS.

Section 6-314.C.2 "Building Mounted System"

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

a. **Roof-Mounted Systems.**

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

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

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

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

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

b. **Wall-Mounted Systems.**

1. **Location.** Only building-integrated or flush-mounted systems shall be permitted on street-facing facades or primary building elevations. Systems that are not building-integrated or flush-mounted shall be permitted on elevations facing the rear and interior side yards.
2. **Projection.** Wall-mounted systems may project up to five (5) feet from a building façade.
3. **Setback.** Wall-mounted systems may project into a side or rear setback, but shall be no closer than five (5) feet to the side or rear property line.
4. **Height.** A building-mounted solar energy system may not extend above the highest point of the roofline or parapet wall of the building which the solar energy system is affixed to.
- c. **Building-Integrated Systems.** Building-integrated solar energy systems are built into and contained within building materials such as roofing, windows, skylights, awnings, canopies, parking lot canopy shade structures, and similar architectural components. Building-integrated systems shall be permitted on all building facades and accessory structures provided the building component in which the system is integrated meets all required setbacks for the district in which the building is located. Exterior walls and finish materials shall comply with the masonry and building material requirements listed in Section 6-308 (Design Standards) and the Village Code, as amended.

Section 6-314.D.4 “General Requirements”

4. **General Requirements.**
 - a. **Access.** A GES shall access the earth's thermal energy below grade and shall not be visible from the public right-of-way or neighboring properties. Access to neighboring properties may be granted by property owners via Geothermal Access Easements and Geothermal Sharing Agreements.
 - b. **Tree Removal.** Tree removal for a GES is not permitted. GES technology permits vertical thermal systems that can avoid trees and other planted areas.
 - c. **New Construction Mitigation.** New construction that impacts a GES must move the GES to a new location not impacted or bury it deeper than the impacted depth, subject to these regulations.
 - d. **Geothermal Access Easement.** See Land Development Code Section 6-404.F.
 - e. **Geothermal Sharing Agreement.** A geothermal sharing agreement may be prepared between property owners to preserve and protect geothermal energy access. Property owners may share a GES under mutual terms, conditions and agreements. Such an agreement may include: optimizing GES field sizes and well depths; provisions for shared access, transmission and use; provisions for heat and coolant exchange and transmission rates; relocating a GES; expanding a GES to increase capacity for multi-building district heating; and provisions for subsidence control.
 - f. **Geothermal Assurance.** These regulations make no assurance of geothermal access other than the provisions of this section. The petitioner must provide evidence of covenants, easements, agreements or similar documentation from property owners and neighboring property owners providing access to geothermal energy or geotechnical studies indicating feasibility for the operation of a GES.
 - g. **Design and Permitting.** The design of the GES shall conform to applicable industry standards. The necessary building permits shall be obtained for a GES per the Village Building Code (e.g. electrical, plumbing, mechanical etc.). All wiring and heating components shall comply with the latest applicable version of the National Electric Code (NEC) and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) as amended by the Village.
 - f. **h. Accessory Use.** Geothermal energy systems are accessory uses to the primary or principle use on a property or district in all zoning districts.

Section 6-314.E.5.1 “Test WECS”

- l. **Test WECS.** A Test WECS is permitted following a site plan and elevation review at Plan Commission

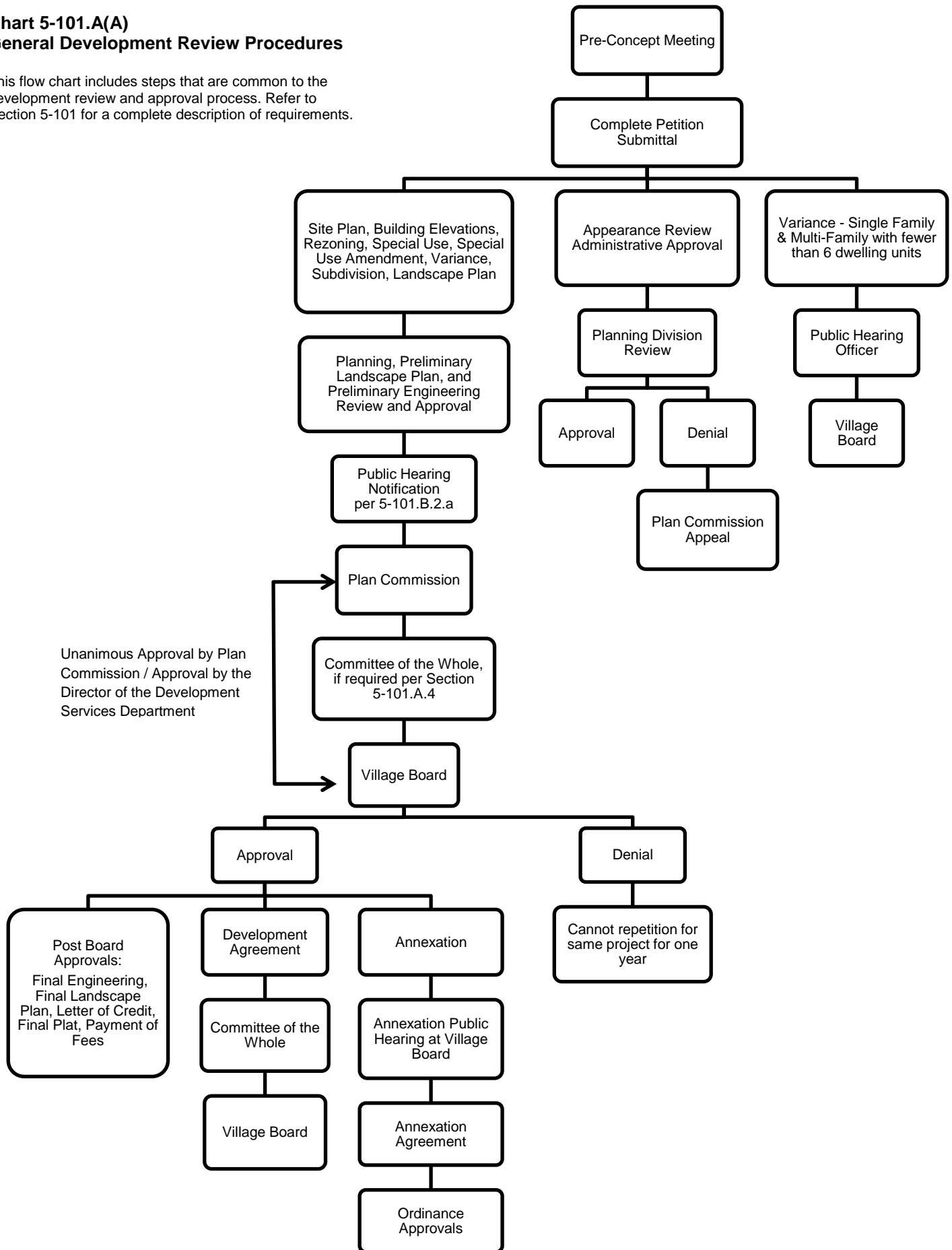
and with formal approval by the corporate authorities of the Village. Test WECS must be dismantled within three (3) years of installation and are subject to the requirements of Section 6-314.E.3 for SWECS or 6-314.E.4 for ~~and~~ UWECS. For the purposes of this Section, Test WECS are trial SWECS and UWECS that are designed solely to collect wind generation data and are subject to these regulations. RESWECS and MINIWECS are not permitted to have Test WECS status.

EXHIBITS A, B, and C

END OF AMENDMENT REPORT

Chart 5-101.A(A)
General Development Review Procedures

This flow chart includes steps that are common to the development review and approval process. Refer to Section 5-101 for a complete description of requirements.



SECTION 6-307. SIGNS.**A. Purpose.**

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

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

B. Applicability.

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

C. General Standards.**1. Village Codes.**

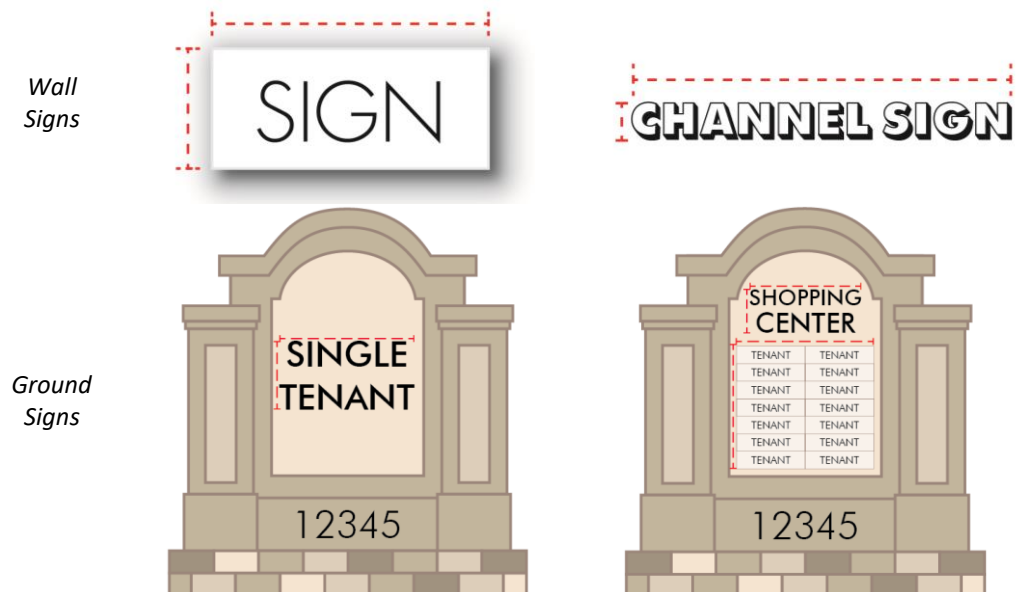
Signs shall meet all applicable Village codes, including the Building Code, as amended from time to time.

2. Interpretation.

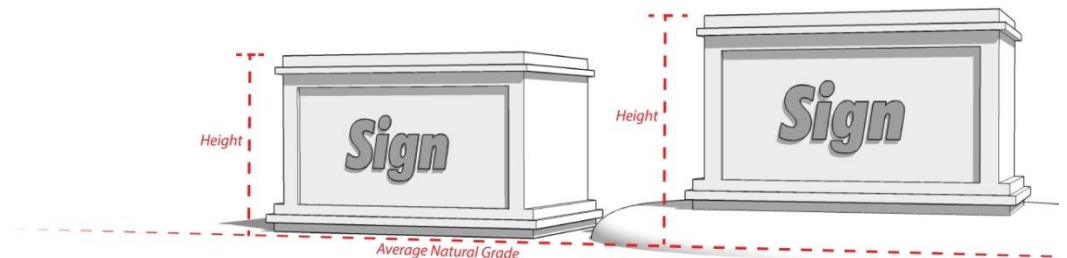
All regulations within this Section shall be interpreted by the Development Services Department. An interpretation may be appealed to the Plan Commission for a final decision.

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

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



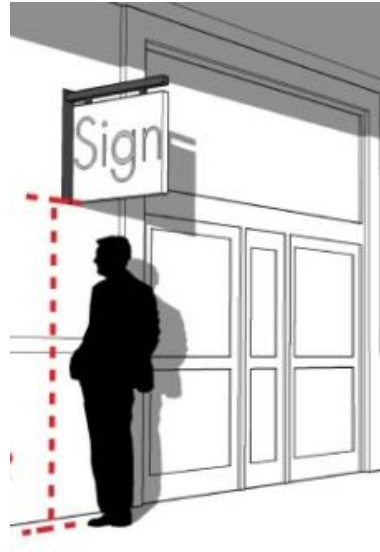
2. **Sign Height (Ground Sign).** A ground sign shall be measured vertically from the adjacent average natural grade to the top of the sign. The measurement includes the full height of the sign, including the base or support structure and any design element surrounding or enclosing the sign face.



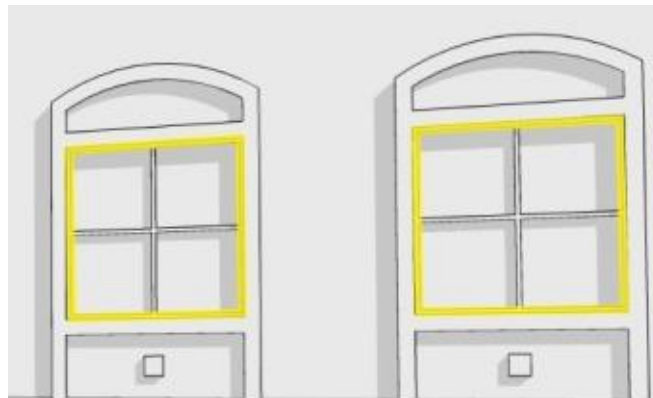
3. **Roof Signs.** The roof is measured from grade to the highest point of the roof line, parapet, or fascia of the building. Signs shall be located below this point.
4. **Tenant Frontage.** The tenant frontage is measured horizontally between the limits of the tenant's leasable space.



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



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



3. **Accessory Structure/Use.**

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

4. Distractions, Obstructions, and Hazards.

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

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

5. Location.

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

6. Materials.

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

7. Illumination.

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

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

8. Maintenance.

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

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

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

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

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

D. Procedures.

1. Permit Requirement.

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

a. Exemptions.

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

1. **Governmental Signs.** Governmental signs incidental thereto for identification, information, directional, or public safety purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance, such as traffic control signs and legal notices, including those located in the public right-of-way.
2. **Address Sign.** An address sign is required for each property/tenant space and shall be installed in compliance with the Building Code and Fire Code and any amendments thereto.
3. **Sign on Residential Property.** One (1) non-illuminated sign is allowed per residential property, provided that:
 - a. The sign meets all General Standards within Section 6-307.C. of the Land Development Code;
 - b. The sign is no larger than four (4) square feet in area (total of all sign faces visible from the public right-of-way);
 - c. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
 - d. The sign(s) shall not exceed three feet (3') in overall height when measured from grade; and
 - e. The sign is not above the roof line when located on a building.
4. **Political Campaign Signs.** In accordance with 65 ILCS 5/11-13-1-12, as amended from time to time, political signs meeting the following requirements are allowed:
 - a. The sign(s) shall meet all General Standards within Section 6-307.C. of the Land Development Code;
 - b. The sign(s) shall be located on private properties with permission from the property owner;
 - c. The sign(s) may be Yard (Pin) Signs or a type of allowable sign,
 - d. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
 - e. The sign(s) shall not exceed five feet (5') in overall height when measured from grade;
 - f. The sign shall not be installed above the roof line when located on a building; and
 - g. The total sign face area (for all signs combined) allowed per property shall be in accordance with the following table:

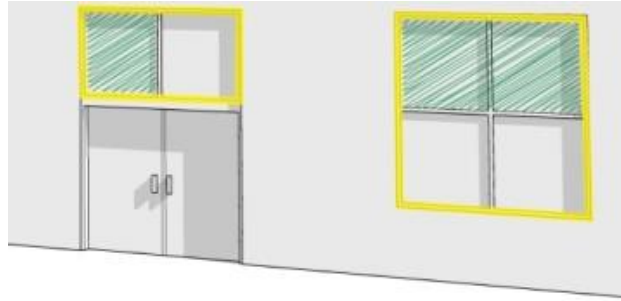
<u>Land Area/Location</u>	<u>Maximum Allowable Total Sign Face Area (all signs combined)</u>
Less than one (1) acre and not located on a major/minor arterial road or major collector road	Six (6) square feet
Less than one (1) acre and located on a major/minor arterial road or major collector road	Forty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

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

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

6. **Replaceable Copy.** Changing of the sign copy or message on a manual changeable sign.

7. **Window Signage.** Changes in the copy of window signage, provided that it does not cover more than fifty percent (50%) of any single window. Window signs shall be located on the interior side of the window and shall not be located on spandrel glass.



8. **Historical Marker/Integral Signs.** Such signs shall have a maximum sign face area of six (6) square feet and meet all General Standards within this Section.
9. **Flags.** Flags on flagpoles are allowed, provided that the flag and flagpole are in compliance with Section 6-302.C.12. of the Land Development Code.
10. **Light Pole Banners.** Banners on light poles are allowed within Sign District #3 in accordance with the following provisions:
 - a. There shall be no more than two (2) banners per pole; and
 - b. The size of each banner shall not exceed ten (10) square feet.
11. **Business Status Sign.** One (1) sign may be displayed near the entrance to the business on the inside of a window or door, provided that the sign is no greater than four (4) square feet in area. Such sign may be internally-illuminated with a steady, motionless light source.
12. **Outdoor Bulletin Boards.** One (1) bulletin board shall be allowed per tenant, provided that the sign is no greater than four (4) square feet in area and is attached to the exterior wall within six feet (6') of the entrance to the building.
13. **Sandwich Boards/A-Frames.** Sandwich boards/A-frames are allowed in accordance with the following provisions:
 - a. The sign meets all General Standards within Section 6-307.C. of the Land Development Code, except sandwich boards may be located on private sidewalks provided that a minimum of thirty-six inches (36") is clear for pedestrians;
 - b. One (1) sandwich board/A-frame is allowed per tenant;
 - c. The sign shall be constructed of wood or aluminum and not plastic;
 - d. The sign face area shall not exceed a maximum of seven (7) square feet per side;
 - e. The height shall not exceed a maximum of fifty-four inches (54") tall;
 - f. The sign shall be located within fifteen feet (15') of the tenant's entrance to the building;
 - g. The sign shall be securely anchored to withstand weather conditions; and
 - h. The sign shall not be displayed outdoors while the business is closed.
14. **Branding Without Copy.** Brand elements without sign copy do not require a sign permit but instead shall be reviewed administratively by the Development Services Department through an Appearance Review and/or approval of Elevations.
15. **Window Displays.** Shall be allowed provided that prohibited signage is not within the window display. Window displays shall not cover more than fifty percent (50%) of any single window

2. Permit Application.

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

3. Installation.

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

4. Removal.

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

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

5. Noncompliance.

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

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

1. Allowable Signs.

Wall Signs

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

Ground Signs

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

Other Signs

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



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

a. Types of Wall Signs

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

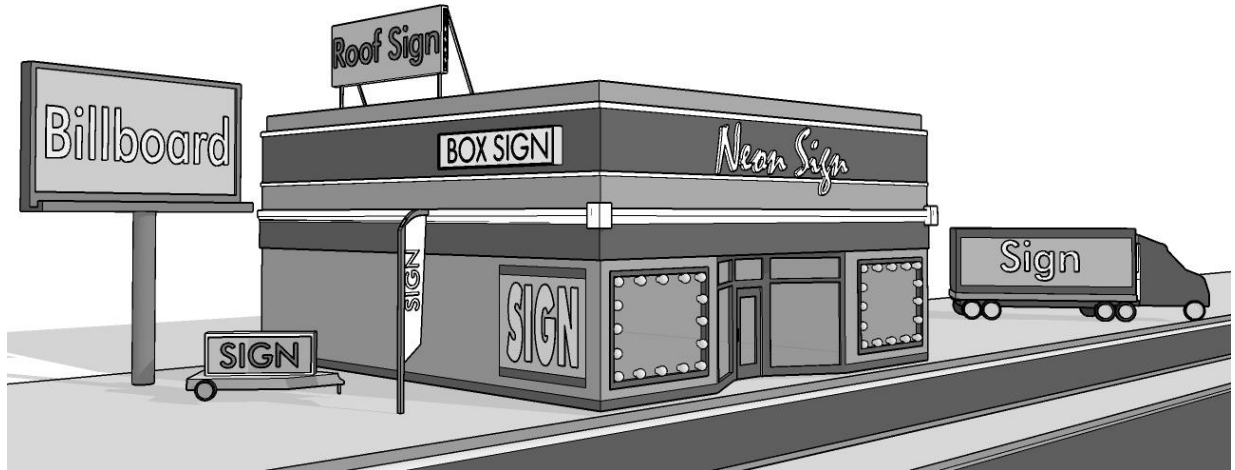
b. Types of Ground Signs

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

c. Other Types of Signs

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

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



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

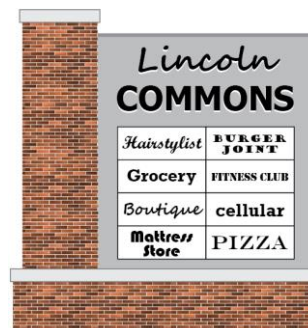
- a. Any sign which constitutes a hazard to public health or safety, including dangerous construction or sight obstructions, as determined by the Development Services Department.
- b. Signs which by color, location, or design resemble or conflict with traffic control signs or signals.
- c. Signs which contain advertising matter which is untruthful, objectionable, or obscene, as determined by the Development Services Department.
- d. Signs which emit an audible sound, odor, or visible matter such as smoke.
- e. Signs which contain radio/microwave transmitters.
- f. Abandoned or obsolete signs, including the posts or other supports therefor, that are no longer being properly maintained by the owner of the sign.
- g. Commercial signs on a vehicle where said vehicle is parked adjacent to or near the right-of-way for the purposes of identifying or calling attention to the business, such as utilizing directional signage, and is not used for daily operations or during the regular course of business, or is not licensed, insured, or operational.
- h. Any signs or attention getting devices visible from the public right-of-way that rotate, revolve, or have any visible moving parts or that gives the appearance of movement, including, but are not limited to: searchlights, electronic screens, spinners, streamers, balloons (other than temporary inflatable signs with a valid permit), and other similar devices, or ornamentation designed for purposes of attracting attention, promotion or advertising, unless otherwise provided for in this Section. However, such signs may be permissible and exempt from permit requirements if the sign or attention getting device is:
 1. Displayed through the interior side of a window;
 2. No closer than five feet (5') to said window;
 3. Comprises no more than 50% of the area of the window(s) that it is viewed through; and
 4. The building is set back at least thirty feet (30') from a public right-of-way.
- i. Box (Cabinet) Signs, unless subordinate to a primary allowable sign type and meeting the following conditions:
 1. Shall not exceed 25% of the sign face area; and
 2. Shall have an opaque background so only lettering is illuminated.
- j. Off-Premise Signs.
- k. Roof Signs.
- l. Electronic Changeable Signs, or signs that feature blinking, flashing, or holograms.
- m. Yard (Pin) Signs, except Political Signs may be Yard (Pin) Signs.
- n. Feather/Flag Signs.
- o. Pennants.
- p. Signs which are painted directly onto any exterior wall of any building or structure.

- q. Signs which are incorporated directly into a ground surface, including tiles and pavers.
- r. Signs or displays which contain bare, unshielded light~~s~~ or tubes (including neon) which are visible from a public right-of-way or a private residence unless otherwise provided for in this Section.
- s. Displays of lights along property lines, sales areas, doors, windows, edges of a building, or similar.

F. Permanent Signs.

1. Appearance Standards.

- a. **Review.** Signs shall be reviewed administratively for appearance by the Development Services Department.
- b. **Standards.**
 1. Every sign shall be designed as an integral architectural element of the building, structure, or site to which it principally relates.
 2. The colors, materials, and lighting of the sign shall be harmonious with the building, structure, and/or site to which it principally relates.
 3. Every sign shall have appropriate scale and proportion in its design.
 4. No more than two (2) colors shall be used on a single letter or character. Logos shall be exempt from this regulation.
 5. Decorative light fixtures complimentary to the architecture of the building shall be used for external illumination.
 6. Projecting signs shall include durable mounting hardware that is attractive and is an integral part of the sign design. Guy wires and extension poles are prohibited.
 7. Sign panels with internal illumination shall have opaque backgrounds so that only the sign copy is illuminated.
 8. Wall Signs:
 - a. Shall be centered within the tenant's frontage unless otherwise deemed aesthetically appropriate by the Development Services Department. Effort shall be made to not conflict with the architectural elements of the building façade.
 - b. Wall signs upon multi-tenant structures shall be mounted in accordance with an established center line.
 - c. Background color is included within the measurement of sign face area for wall signs unless deemed appropriate as an architectural feature by the Development Services Department.
 - d. All raceways shall be of a color that matches the façade behind the sign.
 9. Ground Signs:
 - a. For monument signs, the sign base shall be at least seventy-five percent (75%) of the width of the sign face.
 - b. For dual post signs, each post shall be at least fifteen percent (15%) of the total width of the sign.
 - c. The ground sign's materials shall match the materials on the principal structure.
 - d. Multi-tenant ground sign panels shall be of the same background color and font color. Font face may differ from tenant to tenant. Logos are exempt from the font color requirement.



- e. Landscaping shall be provided around the base of all ground signs in accordance with Section 6-305.D.7 of the Land Development Code.

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

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

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

Sign District #1 – Residential Zoning Districts

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	2 SF	1 per tenant frontage; maximum of 2	-	<ul style="list-style-type: none"> • Shall not cover any part of a window; • Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> • Shall not cover any part of a window; • Shall not extend more than 18" from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> • Minimum 8' clearance; • Awnings shall be located above windows or doors; • Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> • Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> • Minimum 8' clearance; • Shall be located near the tenant entrance; • Shall be located below second story windows; • Maximum projection: 5'
GROUND	Monument Sign/ Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> • May be located within a public landscape median with Village approval; • If illuminated, the sign shall only be externally illuminated • Prohibited for individual single-family lots
		NON-RES	40 SF	1 per ROW frontage	Monument: 10'; Dual Post: 6'	<ul style="list-style-type: none"> • Signs shall be spaced at least 75' apart; • Tenant panels shall cover no more than 80% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> • Minimum 8' clearance; • Shall be located near the tenant entrance
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> • Shall be installed within a ground sign

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

Sign District #2 – Commercial Zoning Districts						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per linear foot of tenant frontage	1 per ROW frontage	-	<ul style="list-style-type: none"> Only allowed on multi-family buildings with more than 10 dwelling units; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; The combined SFA of all signs shall not exceed the allowable SFA per frontage; Shall not extend more than 18" from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; Shall be located below second story windows; Maximum projection: 5'
GROUND	Monument Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	GFA < 350,000 SF: 40 SF; GFA 350,000-500,000 SF: 100 SF; GFA > 500,000 SF: 125 SF	1 per ROW frontage; Lot frontage > 300': 1 additional sign allowed along that frontage	GFA < 500,000 SF: 10'; GFA > 500,000 SF: 18'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant panels shall cover no more than 75% of the allowable SFA
	Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	40 SF	1 per ROW frontage	6'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant panels shall cover no more than 75% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> Shall be installed within a ground sign

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

Sign District #3 – Eastern 159th Street Corridor						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per dwelling unit; maximum of 40 SF	1 per ROW frontage	-	<ul style="list-style-type: none"> Only allowed on multi-family buildings with more than 10 dwelling units; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; The combined SFA of all wall signs shall not exceed the allowable SFA per frontage; Shall not extend more than 18" from the façade
	Awning Sign	RES	<i>Prohibited</i>			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Canopy Sign	RES	<i>Prohibited</i>			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	<i>Prohibited</i>			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; Shall be located below second story windows; Maximum projection: 5'
GROUND	Monument Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	GFA < 350,000 SF: 64 SF; GFA > 350,000 SF: 100 SF	1 per ROW frontage; Lot frontage > 300': 1 additional sign allowed along that frontage	18'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant panels shall cover no more than 80% of the allowable SFA
	Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	40 SF	1 per ROW frontage	6'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant panels shall cover no more than 80% of the allowable SFA
OTHER	Under Canopy Sign	RES	<i>Prohibited</i>			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance
	Manual Changeable Sign	RES	<i>Prohibited</i>			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> Shall be installed within a ground sign

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

Sign District #4 – Industrial Zoning District						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	Prohibited			
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none">• Shall not cover any part of a window;• Shall not extend more than 18” from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none">• Minimum 8’ clearance;• Awnings shall be located above windows or doors;• Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24”	<ul style="list-style-type: none">• Canopy and attached signage must have a minimum 8’ clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	Prohibited			
GROUND	Monument Sign/ Dual Post Sign	RES	Prohibited			
		NON-RES	40 SF	1 per ROW frontage	10’	<ul style="list-style-type: none">• Signs shall be spaced at least 75’ apart;• Tenant panels shall cover no more than 80% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	Prohibited			
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none">• Shall be installed within a ground sign

- e. **Sign District #5: Old Orland Historic District.** The following signs shall be allowed the Old Orland Historic District (OOH) with a valid permanent sign permit from the Development Services Department.

Sign District #5 – Old Orland Historic District						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per linear foot of tenant frontage	1 per ROW frontage	-	<ul style="list-style-type: none"> Only allowed on multi-family buildings with more than 10 dwelling units; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; The combined SFA of all signs shall not exceed the allowable SFA per frontage; Shall not extend more than 18" from the façade For multi-story or multi-tenant buildings, tenant sign location is subject to review by the Development Services Department
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; For multi-story or multi-tenant buildings, tenant signs must be located over or within 2 feet of the first floor pedestrian door access to the building; Maximum 3' projection; Shall not be internally illuminated
GROUND	Monument Sign/ Dual Post Sign	RES	Prohibited			
		NON-RES	20 SF	1 per ROW frontage	5'	<ul style="list-style-type: none"> Tenant panels shall cover no more than 75% of the allowable SFA Wood posts are permitted for dual post signs subject to review by the Development Services Department

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

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

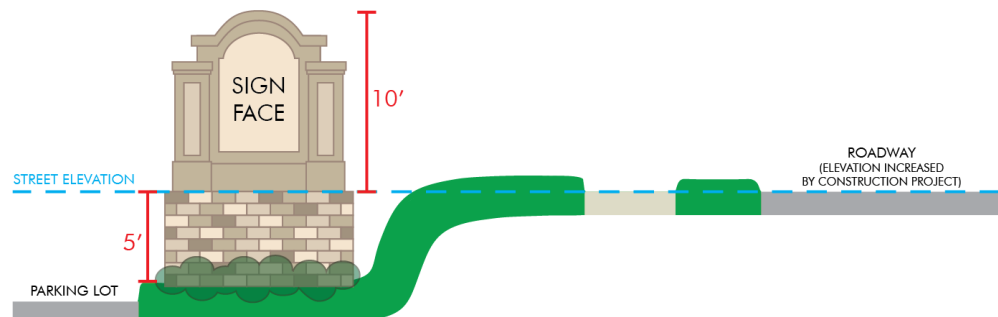
Tenant Gross Floor Area	Sign Face Area Bonus
25,000 – 50,000 SF	+ 0.25 SF per lineal foot of tenant frontage
> 50,000 SF	+ 0.50 SF per lineal foot of tenant frontage

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

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

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

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



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

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

1. Types of Circumstances.

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

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

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

1. **Construction Site Signs.** Sign(s) meeting the following requirements shall be permitted for sites with an active building permit on file with the Development Services Department:
 - a. The sign(s) shall meet all General Standards within Section 6-307.C. of the Land Development Code;
 - b. The sign(s) may be made of temporary or permanent materials;
 - c. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives unless installed on construction fencing;
 - d. One (1) sign is allowed per frontage along a public right-of-way;
 - e. Sign(s) shall be displayed no earlier than thirty (30) days before construction begins and removed no later than seven (7) days after issuance of a Certificate of Occupancy and/or completion of construction;
 - f. The sign(s) shall not be installed above the roof line when located on a building, be greater than six feet (6') in height when located on the ground, and/or exceed the height of the construction fence if installed upon said fence; and
 - g. The maximum sign face area shall be in accordance with the following table:

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

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

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

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

5. Drive-Through Accessories. Drive-Through Accessories shall meet the requirements of Section 6-302.K of the Land Development Code.

I. Nonconforming Signs.

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

- 1. **Legal Nonconforming Signs.** Nonconforming signs that were lawfully permitted by the Village shall be considered legal nonconforming signs. The following activities are allowed for legal nonconforming signs and may require a permit from the Development Services Department:
 - a. **Ordinary Repair and Maintenance.** Normal maintenance and incidental repair are allowed for legal nonconforming signs, provided that any repair or maintenance shall, whenever possible, eliminate or reduce any nonconformity. The allowable scope of repair and maintenance for legal nonconforming signs includes:
 - 1. The replacement of non-load-bearing sign elements and electrical wiring and fixtures; and
 - 2. The replacing, repairing, or repainting of any portion of a sign or its structural elements, provided that the sign is not structurally altered to prolong its useful life.
 - b. **Change in Display of Sign Content.** The periodic changing of tenant's sign panels or the renewing of copy that has been made unusable by ordinary wear and tear, weather, or accident is allowed on legal nonconforming signs. All new panels within nonconforming signs shall be designed to meet current Appearance Standards per Section 6-307.F.1.
 - c. **Alteration, Enlargement, and Relocation.** Legal nonconforming signs shall not be:
 - 1. Changed or altered in any manner that would increase the degree of its nonconformity;
 - 2. Enlarged or expanded; and/or
 - 3. Moved in whole or in part to any other location where the sign would remain nonconforming.
- 2. **Illegal Nonconforming Signs.** Nonconforming signs that do not have a valid permit on file with the Village shall be considered illegal nonconforming signs.
 - a. **Removal.** Illegal nonconforming signs shall be immediately removed at the expense of the owner.
 - b. **Alteration.** The owner of an illegal nonconforming sign may obtain a permit to alter the illegal nonconforming sign to conform with all applicable Village codes.

J. Severability.

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

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

1. **Average Natural Grade:** When measuring sign height, the average natural grade shall mean the average grade measured ten feet (10') in every direction from the sign location.
2. **Frontage, Tenant:** The horizontal distance between a tenant's lease lines along a façade facing a public right-of-way, private access drive, and/or parking lot. Tenant Frontage shall not include frontage along outdoor sales areas and accessory structures.
3. **Sign:** Any object, device, display, or structure, or part thereof, which is used primarily to advertise, identify, display or direct or attract attention to an object, person, establishment, product, service, event or location by any means including, but not limited to: words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, which are visible beyond the boundaries of the lot, parcel, or tenant space on which they are situated or visible from any public thoroughfare or right-of-way. This includes, but is not limited to, wall signs, ground signs, window signs, awning or canopy signs, marquees, manual changeable signs, message boards, illuminated signs, moving signs, temporary signs, portable signs, pennants, banners, streamers or any other attention-getting device, flag, or other display, whether affixed to a building or erected elsewhere on the premises. The term "sign" excludes those features of a building which are an integral part of the building's architecture, design, and structure (i.e. an "architectural feature") as determined by the Development Services Department.
4. **Sign, Address:** A sign displayed for the purpose of identifying the address of the property.
5. **Sign, Awning:** Signage that exists on an awning.
6. **Sign, Banner:** A temporary sign with or without characters or illustrations applied to cloth, flexible plastic, or fabric of any kind, with no rigid material as a backing. A Banner Sign is typically installed on the wall of the tenant space, mounted in the ground, or securely attached to an existing ground sign.
7. **Sign, Billboard:** See Off-Premise (Outdoor Advertising) Sign.
8. **Sign, Box (Cabinet):** A sign which contains all of the advertising copy within an enclosed cabinet (typically a standard geometric shape such as a rectangle) and is mounted to a wall. Box Signs have a translucent or opaque back-lit panel with sign copy enclosed within a frame or cabinet. An internally-illuminated logo separate from other sign copy shall not constitute a Box Sign.
9. **Sign, Canopy:** A sign constructed or affixed to a permanent portion of a building that serves as a canopy over the space below. A canopy is an integral part of the building that uses similar materials, whereas an awning is more temporary in nature and build.
10. **Sign, Channel Letter:** A sign comprising individual letters that are independently mounted to a wall or other surface and have a covered face with internal illumination. Channel letters may be non-illuminated.
11. **Sign, Cloud:** A sign with a single cabinet that is not a typical geometric shape but instead follows the curvature of the lettering or artwork on the sign. A Cloud Sign is distinguished from a Box (Cabinet) Sign by the shape of the sign and the outer edges forming a cloud around the lettering or artwork on the sign. Typically the background of this type of sign is non-illuminated but the lettering is illuminated.

12. **Sign, Directional:** A sign used for providing direction and navigation of a site. Such signs typically include arrows and identify locations rather than advertising copy and/or logos. Pavement markings shall not constitute a directional sign.
13. **Sign, Dual Post:** A ground sign that utilizes two posts or columns that are used to mount the sign in the ground.
14. **Sign, Electronic Changeable:** Signage that features changeable text and/or illustrations, using computer software or other technology to automate the delivery schedule of the messages.
15. **Sign Face:** That part of the sign which is or can be used to identify, to advertise, to communicate information, or for visual representation which attracts the attention of the public for any purpose. This shall include any background material, panel, trim, color, and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface, or object upon or against which it is placed. This shall not include any portion of the support structure for the sign, provided that no message, symbol, or any of the aforementioned sign face criteria is placed on or designed as part of the support structure.
16. **Sign Face Area:** The entire area of a sign face measured in square feet.
17. **Sign, Feather/Flag:** A temporary ground sign typically taller than it is wide, made of non-rigid material, and attached to a pole.
18. **Sign, Flag:** A sign attached to a pole on one side of the sign.
19. **Sign, Ground:** Any sign supported wholly or in part by some structure other than the building or buildings housing the use to which the sign pertains. Ground signs shall also include monument, dual post, and other freestanding signs.
20. **Sign, Inflatable:** A sign that requires air pressure to maintain its volume.
21. **Sign, Integral:** Names of buildings, dates of erection, monumental citations and commemorative tablets or other information that is carved into stone, concrete, or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
22. **Sign, Manual Changeable:** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign.
23. **Sign, Marquee:** A manual changeable sign with a surrounding cache of light bulbs. Typical marquee signage is found at the entry to theaters.
24. **Sign, Monument:** A two-sided sign attached to a permanent foundation or decorative base and not attached or dependent on support from any building, pole, posts, or similar uprights.
25. **Sign, Off-Premise (Outdoor Advertising):** A sign providing display space for general commercial advertising not related to the premises on site at which the sign is located; commonly referred to as "billboards".
26. **Sign, Outdoor Bulletin Board:** A cabinet attached to the wall of a structure at a pedestrian level for the purpose of displaying periodically-changing messages printed on paper or other similar materials inside the cabinet. Such messages may include announcements, advertisements, or information about a business such as a menu or a brochure of services.
27. **Sign, Pennant:** A series of triangular non-rigid signs that exist on a string or band.
28. **Sign, Permanent:** Any sign or advertising display composed of durable materials intended to exist for the duration of time that the use or occupant is located on the premises.

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

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

Permitted Structures P = Permitted PC = Permitted with Conditions NP = Not permitted	Residential Zoning Districts					Mixed Use Zoning Districts						Non-Residential Zoning Districts			Setbacks Permitted F = Front S = Side R = Rear * = specific limits	Specific Standards See Section:
	E-1	R-1	R-2 & R-2A	R-3 & R-3A	R-4	LSPD	OOH	COR	ORI	VCD	RSB	BIZ	MFG	OL		
Air Conditioning	P	P	P	P	P	P	P	P	P	P	P	P	P	P	R	6-302.C.1
Awnings, Marquees, and Canopies	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.3
Balconies	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.4
Bay Windows	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.6
Chimneys	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S*, R	6-302.C.7
Decks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.8 6-302.C. 42 43

REQUEST FOR ACTION REPORT

File Number:	2019-0892
Orig. Department:	Development Services Department
File Name:	Vintage Crossings Drainage

BACKGROUND:

In the summer of this year (2019), Village staff received complaints about flooding concerns from residents of the Vintage Crossing neighborhood. The complaint included water ponding in their backyards and the sump pumps constantly running.

In order to understand the issue and potential causes, Village staff evaluated the existing site conditions in the subdivisions of Vintage Crossing and Fawn Ridge by visiting the site and reviewing original development design documents from early 2000 related to the site grading and stormwater system.

Based on our analysis of available information and site observations, Village staff came to the conclusion that the original design of the backyards may have been modified by individual property owners. The modifications include changing the backyard grading, adding storage sheds, adding fences, and other work done in the public utility and drainage easement without proper permits or approvals from the Village. These changes and additions eliminated/impacted swales in many areas and/or obstructed the flow of stormwater which is causing water ponding and concerns for potential flooding.

Earlier this year, Villas of Tall Grass, a residential development, started construction on its site which is located immediately west of Vintage Crossing and north of Fawn Ridge subdivisions. As part of their stormwater management system, the developer built berms west of Vintage Crossing and north of Fawn Ridge subdivisions. Prior to the construction of Tall Grass berms, stormwater from Vintage Crossing and Fawn Ridge subdivisions was releasing into Tall Grass site. After construction of berms and absence/obstruction of swales in Vintage Crossing and Fawn Ridge subdivisions, stormwater is unable to find its way to the several inlets and detention pond designed to manage stormwater for these two subdivisions. Villas of Tall Grass site cannot be used as stormwater basin for the neighboring subdivisions. The Vintage Crossing and Fawn Ridge swales and grades must be reestablished to allow stormwater to flow as designed.

On October 9, 2019, the Village informed property owners via a certified letter about potential flooding issues in the two subdivisions. The Village invited all affected property owners to attend a meeting at the Village Hall on October 24, 2019 at 6:00 PM to discuss the issues and possible solutions. Two property owners attended this meeting. After the meeting, the Village conducted additional studies, including backyard grading surveys conducted by a licensed surveyor on November 12 and 13, 2019. Based on this grading survey, visual observations of backyards, and reviews of original development design documents, Village staff came to the conclusion that all affected properties (at varying levels) are in violation of Ordinance 6-409.E.16.c of the Village's Land Development Code. The referenced ordinance states that, "No lot shall be allowed to divert, modify, or change grade elevations from an approved engineering drawing without approval from the Director of Engineering."

The Village has been diligently exploring cost effective and least interruptive solutions for the above issue. The Village retained DesignTek Engineering, Inc., of Mokena, Illinois to study and prepare a drainage design that will allow stormwater to flow in the swale through Vintage Crossing and Fawn Ridge subdivisions and eliminate concerns for flooding. DesignTek submitted their design to the Village and staff agrees with their solution. The design will work as long as the backyard grades and swales are maintained and storm inlets are kept open.

To implement the designed solution at a lower cost with the least interruption, the engineering staff has been able to negotiate two concessions with the Villas of Tall Grass developer, Marth Construction (Marth). Marth has agreed to allow construction access from Tall Grass site and absorb construction spoils in their site without any cost to the property owners of Vintage Crossing and Fawn Ridge. However, they require that grading and swale work be completed by March 31, 2020 as Marth has plans to start backyard landscape work in their development in April 2020. After March 31, construction access from Tall Grass to Village Crossing and Fawn Ridge will not be available.

Staff is recommending that all affected property owners take advantage of Marth Construction's offer and collectively pay for the solution. The two concessions (construction access and absorption of spoils) offer significant cost savings and convenience to property owners in terms of reduced construction costs, no to minimal damage to their front, side, and back yards, disposal of spoils, trucking and equipment costs, and other related costs/impact related with this solution. The Village is willing to act as a point of contact and liaison between the contractor and property owners, which offers additional savings to the property owners.

To implement the solution developed by the Village and its consultant, the property owners will be required to remove all items from the backyard drainage easement including sheds, fences, vegetable gardens, etc. After grading work is complete, property owners will also be responsible to repair backyards including landscaping, grass, etc. while maintaining the grades and swales in the drainage easement. All of these items will be completed by property owners at their expense.

BUDGET IMPACT:

There is no financial impact to the Village as the Village will not participate financially to address flooding concerns/issue. However, staff will spend time to develop and facilitate the execution of a solution.

REQUESTED ACTION:

For discussion only. When a final solution is developed and accepted by the property owners, staff will recommend an appropriate action/motion at a later date.

DATE: December 16,
2019

REQUEST FOR ACTION REPORT

File Number:	2019-0925
Orig. Department:	Officials
File Name:	Agenda Initiative - Introduction of a Resolution requesting the Federal Communications Commission (FCC) and the Illinois Attorney General to enforce the laws regarding robocalls

BACKGROUND:

Per the Village Code, any individual Trustee can request that an initiative be placed on the Committee of the Whole agenda by instructing the Village Manager, either verbally or in writing, prior to noon on the Friday preceding the meeting, to place an item on the Committee of the Whole agenda. Village/Legal staff time is restricted until after at least three Trustees vote to move the Agenda Initiative forward.

Agenda Initiatives include (1) the expenditure of money; (2) modifications to the Village Code; (3) formation/modification of Village policies; (4) the introduction of an ordinance or resolution; (5) the formation/modification of committees; (6) budget changes and/or (7) the appropriation of Village/Legal staff time.

Proposed Initiative

Trustee Healy has requested that a Resolution be drafted and brought forward to the Board of Trustees requesting that the Federal Communications Commission (FCC) and the Illinois Attorney General enforce the laws regarding robocalls.

BUDGET IMPACT:

Village/Legal staff time

REQUESTED ACTION:

I move to recommend that a Resolution be drafted and brought forward to the Board of Trustees requesting that the Federal Communications Commission (FCC) and the Illinois Attorney General enforce the laws regarding robocalls.

George Koczwar

Subject: FW: Resolution Request

Sent: Thursday, December 12, 2019 12:47 PM

To: George Koczwar

Subject: Resolution Request

George Koczwar, Village Manager:

I am interested in a resolution being proposed to request the FCC and the Illinois Attorney General enforce the laws regarding robocalls, and help to put an end to distasteful robocalls in Orland Park.

I believe this resolution is in the best interest of the community of Orland Park.

Sincerely,

William R. Healy, Trustee

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