



## Legislation Details (With Text)

<b>File #:</b>	2023-0998	<b>Version:</b>	1	<b>Name:</b>	AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED
<b>Type:</b>	ORDINANCE	<b>Status:</b>			IN BOARD OF TRUSTEES
<b>File created:</b>	8/6/2001	<b>In control:</b>		Board of Trustees	
<b>On agenda:</b>	12/18/2023	<b>Final action:</b>		12/18/2023	
<b>Title:</b>	AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED				

### Code sections:

**Attachments:** 1. Amendment Report to the Board, 2. Ordinance, 3. PRINT ORDINANCE FROM HERE

Date	Ver.	Action By	Action	Result
12/21/2023	1	Village Clerk	PUBLISHED	
12/18/2023	0	Board of Trustees		
12/13/2023	0	Development Services Department	INTRODUCED TO BOARD	

### PRINT ORDINANCE FROM ATTACHMENTS DUE TO FORMATTING ISSUES

Title  
AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED

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

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

WHEREAS, the Plan Commission of the Village held a public hearing on November 21, 2023 on whether the proposed amendments should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearing in the Daily Southtown, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Section 6-201, 6-202, 6-203, 6-204, 6-205, 6-206, and 6-305 of the Land Development Code of the Village be made, and this Board of Trustees has duly considered said report and findings and recommendations; and

WHEREAS, the President and Board of Trustees of the Village of Orland Park have determined that it is in the best interests of the Village and its residents to update the aforementioned sections of the Land Development Code in order to bring it in line with surrounding communities and the Village's needs;

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

## **SECTION 1**

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

## **SECTION 2**

Article 6, Section 6-302(F)(2)(c) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

...

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

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

### **SECTION 3**

Article 6, Section 6-201 (F) (E-1 Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

~~a. 1. The base lot coverage allowed by right is not to exceed twenty-five (25) 30% for the principal structures, pavement, and accessory structures.~~

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

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

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

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

### **SECTION 4**

Article 6, Section 6-202 (F) (R-1 Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

~~a. 1. The base lot coverage allowed by right is not to exceed twenty-five (25) 40% for the principal structures, pavement, and accessory structures.~~

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

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

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

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

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

## SECTION 5

Article 6, Section 6-203 (F) (R-2 Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

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

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

## SECTION 6

Article 6, Section 6-203.5 (F) (R-2A Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

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

## **SECTION 7**

Article 6, Section 6-204 (F) (R-3 Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

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

## **SECTION 8**

Article 6, Section 6-204.5 (F) (R-3A Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

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

## **SECTION 9**

Article 6, Section 6-205 (F) (R-4 Residential District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

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

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

## **SECTION 10**

Article 6, Section 6-206 (G) (RSB Residential and Supporting Business District) shall hereby be amended as follows (deleted language marked with strikethrough, and new language marked with underlining):

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

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

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

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

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

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

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

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

## **SECTION 11**

To the extent necessary, all tables of contents, indexes, headings, and internal references or cross-references to Sections that need to be amended or deleted within the Orland Park Village Code, as amended, as a consequence of the above

Code Amendments, shall be amended by the Village's codifier so as to be consistent with the terms of this Ordinance.

## **SECTION 12**

All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

## **SECTION 13**

Each section, paragraph, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

## **SECTION 14**

Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Orland Park Land Development Code, as amended, shall remain in full force and effect.

## **SECTION 15**

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.

## **SECTION 16**

The Village Clerk be and herby is authorized and directed to publish this Ordinance in pamphlet form.