



Legislation Details (With Text)

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File created: 10/31/2013 **In control:** Board of Trustees

On agenda: 2/3/2014 **Final action:** 2/3/2014

Title: AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Sections 2-102, 6-202, 6-203, 6-203.5, 6-207, 6-208, 6-210, 6-212, 6-302, 6-304, 6-305, 6-306, 6-307, 6-310, 6-311, 6-402, 6-405 and 6-406)

Code sections:

Attachments: 1. Ordinance

Date	Ver.	Action By	Action	Result
2/3/2014	3	Board of Trustees		
1/29/2014	3	Development Services Department	INTRODUCED TO BOARD	
1/6/2014	2	Board of Trustees		
12/30/2013	2	Development Services Department	INTRODUCED TO BOARD	
12/16/2013	1	Development Services, Planning and Engineering Committee	RECOMMENDED FOR APPROVAL	Pass
12/11/2013	1	Development Services Department	INTRODUCED TO COMMITTEE	
12/10/2013	0	Plan Commission		
12/5/2013	0	Development Services Department	INTRODUCED TO COMMISSION	

Title/Name/Summary

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Sections 2-102, 6-202, 6-203, 6-203.5, 6-207, 6-208, 6-210, 6-212, 6-302, 6-304, 6-305, 6-306, 6-307, 6-310, 6-311, 6-402, 6-405 and 6-406)

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 insure that the Code is up to date and responsive to community needs; and

WHEREAS, amendments have been proposed regarding adult day care centers, convenience stores, day care centers, permitted uses in the R-1 Residential District, R-2 Residential District, R-3 Residential District, R-2A Residential District and BIZ General Business District, special use in the MFG Manufacturing District, permitted and special uses in the COR Mixed Use District, permitted and special uses in the VCD Village Center District, permitted uses in building setback areas along street in the VCD Village Center District, vending machines, residential outdoor storage and dumpsters, tents and canopies, standards for maintenance of parkway trees, parking requirements for office and medical/institutional uses, signs in the Commercial/Office Districts - Sign District #2, fences and barriers for swimming pools, spas and hot tubs, wireless communication facilities, lot standards for lots within the Village’s one and one-half mile extraterritorial jurisdiction, private roads, public roads, sidewalks and multi-use paths, and residential shared driveways; and

WHEREAS, the Plan Commission of the Village held a public hearing on December 10, 2013 on whether the proposed amendments should be approved, at which time all persons present were afforded an opportunity to be heard; and

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

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Sections 2-102, 6-202, 6-203, 6-203.5, 6-207, 6-208, 6-210, 6-212, 6-302, 6-304, 6-305, 6-306, 6-307, 6-310, 6-311, 6-402, 6-405 and 6-406 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

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

SECTION 1

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

SECTION 2

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the definition of “Adult Day Care Center” to Section 2-102, which shall read in its entirety as follows:

Adult Day Care Center, also classified as day care centers, means an individual, agency or organization which regularly provides adult or senior companion services and care on a regular basis for less than twenty-four (24) hours per day for one (1) or more seniors. Services may include, but are not limited to providing companionship in social interactions, peer counseling, fostering client contact with family and friends, assisting clients in applying for public services, addressing unmet needs with community leaders, healthcare professionals and other care providers, health monitoring, medication supervision, personal care and recreational/educational/therapeutic activities. Adult Day Care Centers must comply with all applicable state and federal laws, and be registered, if required, with the Illinois Department of Aging or other applicable State agency.

SECTION 3

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in their entirety the definitions of “Convenience Store” and “Day Care Center” in Section 2-102 and substitute the following as new text for the definitions of “Convenience Store” and “Day Care Center” in Section 2-102:

Convenience Store means a retail store with a floor area of less than 5,000 square feet, which sells groceries, and is open 15 to 24 hours a day, but not including an automobile service station.

Day Care Center means an individual, agency or organization which regularly provides pre-school instruction or supervision and care on a regular basis for less than twenty-four (24) hours per day for one (1) or more children in a facility other than a detached dwelling, who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult. The use must be licensed by or registered with the Illinois Department of Children and Family Services in accordance with the Child Care Act of 1969 (225 ILCS 10/1 et.seq.).

SECTION 4

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 5 of Paragraph B, "Permitted Uses," of Section 6-202 and to substitute the following as new text for Subsection 5 of Paragraph B of Section 6-202:

5. Single family detached dwellings;

SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 6 of Paragraph B, "Permitted Uses," of Section 6-203 and to substitute the following as new text for Subsection 6 of Paragraph B of Section 6-203:

6. Single family detached dwellings;

SECTION 6

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 6 of Paragraph B, "Permitted Uses," of Section 6-203.5 and to substitute the following as new text for Subsection 6 of Paragraph B of Section 6-203.5:

6. Single family detached dwellings;

SECTION 7

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 8 of Paragraph B, "Permitted Uses," of Section 6-207 and to substitute the following as new text for Subsection 8 of Paragraph B of Section 6-207:

8. Day care centers, day care homes, and adult day care centers, provided they are licensed/registered with the appropriate state agencies.

SECTION 8

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the following as a new Subsection 4 of Paragraph C, "Special Uses," of Section 6-208 which shall read in its entirety as follows and to renumber the remaining Subsections of Paragraph C accordingly:

4. Equipment and motor vehicle rental;

SECTION 9

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete Subsection 2 of Paragraph B, “Permitted Uses” of Section 6-210.

SECTION 10

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 7 of Paragraph B, “Permitted Uses,” of Section 6-210 and to substitute the following as new text for Subsection 7 of Paragraph B of Section 6-210:

7. Day care centers, day care homes, and adult day care centers, provided they are licensed/registered with the appropriate state agencies.

SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the following as a new Subsection 2 of Paragraph C, “Special Uses,” of Section 6-210 which shall read in its entirety as follows and to renumber the remaining Subsections of Paragraph C accordingly:

- 2. Attached dwellings, provided that:
 - a. No dwelling units are located on the street level unless the dwelling units are part of a mixed use development. (Ord. 3837 - 12/1/03)
 - b. If the dwelling units are part of a larger mixed use development that is over 100,000 square feet in floor area, no more than forty (40) percent of the square footage is devoted to residential uses.

SECTION 12

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection “Dwellings, detached or attached,” of the Paragraph entitled “Residential Uses” of Table 6-212.C.1 and to substitute the following as new text for Subsections of the “Residential Uses” Paragraph of Table 6-212.C.1:

Dwellings, detached	Permitted Use	Permitted Use
Dwellings, attached	Special Use	Special Use

SECTION 13

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 1, “Permitted Uses in Building Setback Areas Along Streets,” of Paragraph E, “Design Standards,” of Section 6-212 and to substitute the following as new text for Subsection 1 of Paragraph E of Section 6-212:

- 1. Permitted Uses in Building Setback Areas along Streets.
Setback areas will be primarily used for landscaping and other pedestrian oriented uses including:
 - a. Widened sidewalks and entrance-ways;
 - b. Plazas, outdoor gardens, patios and outdoor seating areas;
 - c. Water features, including bioswales or other stormwater management elements;
 - d. Public art or outdoor architectural features like clock towers, pergolas etc.

The setback area can be expanded to accommodate the above pedestrian oriented uses if needed. Architectural features that help to create a stronger pedestrian scale can extend into the minimum required setback area no closer than five (5) feet from the right-of-way, including:

- e. Canopies, marquees and other projections that create shaded and protected entrances;
- f. Extended roofs and eaves, and awnings and canopies over windows;
- g. Projecting blade signs that comply with the Village's sign ordinance.

SECTION 14

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the following as a new Subsection 42 of Paragraph C, "Permitted Accessory Structures and Uses," of Section 6-302 which shall read in its entirety as follows and to renumber the remaining Subsections of Paragraph C accordingly:

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

SECTION 15

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 8 of Paragraph C, "Permitted Temporary Uses," of Section 6-304 and to substitute the following as new text for Subsection 8 of Paragraph C of Section 6-304:

8. Residential Outdoor Storage and Dumpsters.

- a. Allowed for a single thirty (30) day period within a calendar year unless associated with a building permit;
- b. Must be placed on private driveways.

SECTION 16

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 13 of Paragraph C, "Permitted Temporary Uses," of Section 6-304 and to substitute the following as new text for Subsection 13 of Paragraph C of Section 6-304:

13. Tents and Canopies.

- a. Tents in excess of 200 square feet and canopies in excess of 400 square feet require permits for non-residential uses as an ancillary use to a permitted, accessory or special use permit. Tents for non-residential uses less than the above area thresholds do not require permits. Tents for residential uses are allowed and do not require a permit.
- b. The maximum length of the permit shall be ten (10) days, or two (2) days longer than the allowable period for the principal use, where such tent is incidental to the primary use.
- c. No permit may be issued to the same person/business more than three (3) times in a twelve (12) month period.

SECTION 17

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add a new Subsection 9 to Paragraph T, “Parkway Standards,” of Section 6-305 which shall read as follows:

9. When feasible, based on tree maturity, parkway trees must be pruned, or “limbed up,” to provide a minimum of eight (8) feet of vertical clearance from grade level.

SECTION 18

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection “Offices” of the Paragraph entitled “Commercial Uses” of Table 6-306(B) and to substitute the following as new text for Subsection “Offices” of the “Commercial Uses” Paragraph of Table 6-306(B):

Offices (medical or dental clinics with no overnight stay)	1 per 300 square feet
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SECTION 19

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection “Medical/Institutional Uses,” of the Paragraph entitled “Civic and Institutional Uses” of Table 6-306(B) and to substitute the following as new text for Subsection “Medical/Institutional Uses,” of the “Civic and Institutional Uses” Paragraph of Table 6-306(B):

Medical/Institutional uses including surgery centers, outpatient centers, testing facilities and research laboratories	1 per 300 square feet
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SECTION 20

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 1, “Freestanding Identification Signs,” of Paragraph P, “Signs Permitted in Commercial/Office Districts - Sign District #2,” of Section 6-307 and to substitute the following as new text for Subsection 1 of Paragraph P of Section 6-307:

1. Freestanding Identification Signs.

a. All areas except for 159th Street (between 71st Court and 94th Avenue) and except for the Old Orland Historic District (See Section 6-209.E):

1. The maximum sign face area shall be one (1) square foot per 2.5 lineal feet of frontage, up to forty (40) square feet (for each of two (2) sides) for buildings under 350,000 square feet, and up to one hundred (100) square feet for buildings between 350,000 square feet to 500,000 square feet, and up to one hundred twenty-five (125) square feet for buildings of 500,000 square feet and greater, subject to conditions as written in 6-307.P.1.a.6.

2. One (1) freestanding identification sign shall be allowed per lot, except for lots with over three hundred (300) feet of frontage on a public right-of-way, which may have up to two (2) freestanding signs, which may be combined into one sign of up to eighty (80) square feet subject to a ten (10) foot maximum height. An exception to this rule is provided for corner lots with over three hundred (300) feet of frontage on each public right-of-way or major privately owned circulation road, which may have up to one (1) freestanding sign per frontage, and for buildings over 350,000 square feet, one (1) freestanding identification sign at each major entrance.

3. The maximum thickness of such sign shall be two (2) feet.

4. Listing of tenants' names shall be permitted for office buildings, but shall occupy no more than eighty (80) percent of the freestanding sign face. For office buildings with four (4) or more stories, two (2) eighty (80) square foot signs listing tenants' names on no more than eighty percent (80%) of the freestanding sign face shall be allowed. The allowable height for these signs shall be ten (10) feet. No tenants' names shall be allowed for non-office commercial signs unless one or more of the following conditions are met:

- a. The name of the tenant is also the name of the center;
- b. The distance between the building and the right-of-way exceeds 250 feet;
- c. The distance between the building and the right-of-way exceeds 100 feet and building visibility from the right-of-way is blocked by structures along at least 50% of the lot width.

In the case of these conditions, up to four (4) tenant listings shall be permitted on up to forty percent (40%) of the freestanding identification sign face.

5. For commercial buildings over 500,000 square feet, twenty-five percent (25%) of the freestanding identification sign face area must be used for the name of the center. The remaining seventy-five percent (75%) of the freestanding identification sign face area may be used for tenant listings following these conditions:

- a. The name of the center must appear on the top of the freestanding identification sign;
- b. The maximum height of the sign shall be eighteen (18) feet;
- c. The sign may have up to six (6) tenants listed, with tenant signs matching in font color and background color (font style, and size may be different);
- d. The freestanding identification sign must include a minimum design to sign face ratio of 1:1, in which 125 square feet of sign face area, for example, must include 125 square feet of architectural features. The design/architectural features may include such elements as sign anchors, piers, canopies etc. Landscaping must be provided along fifty percent (50%) of the base of the sign.
- e. Directional signs may support freestanding identification signs but are limited to nine (9) feet in height and seventy (70) square feet in sign face area. The directional signs must match the freestanding sign as an architectural feature to the site following the same 1:1 design to sign face ratio. As a feature, it may include similar elements as noted above. Landscaping must be provided along fifty percent (50%) of the base of the sign. Directional signs are limited to secondary frontage and access routes.

6. Message boards shall be permitted for commercial buildings, which may occupy no more than twenty-five (25) percent of the freestanding identification sign face, provided that no tenants' names are listed on the sign. However, buildings over 350,000 square feet may apply this twenty-five (25) percent to tenants' names, for a total of sixty-five (65) percent, in place of a message board. No message boards shall be permitted for office buildings.

7. One menu board and one preview board shall be allowed for each establishment with drive in service windows. The maximum height shall be five (5) feet and the maximum sign face shall be forty (40) square

feet.

b. All areas along 159th Street (between 71st Court and 94th Avenue):

1. The maximum sign face area shall be one (1) square foot per 2.5 lineal feet of frontage, up to sixty-four (64) square feet (for each of two (2) sides), up to a total of one hundred and twenty-eight (128) square feet for buildings under 350,000 square feet, and up to one hundred (100) square feet (for each of two (2) sides), up to two hundred (200) square feet for buildings of 350,000 square feet and greater.
2. One (1) freestanding identification sign shall be allowed per lot, except for lots with over three hundred (300) feet of frontage on a public right-of-way, which may have up to two (2) freestanding signs. An exception to this rule is provided for corner lots with over three hundred (300) feet of frontage on each public right-of-way or major privately owned circulation road, which may have up to one (1) freestanding sign per frontage, and for buildings over 350,000 square feet, which may have one (1) freestanding identification sign at each major entrance.
3. The maximum height of such sign shall be eighteen (18) feet.
4. The maximum thickness of such sign shall be two (2) feet.
5. Listing of tenants' names shall be permitted for office buildings, but shall occupy no more than eighty (80) percent of the freestanding sign face. No tenants' names shall be allowed for non-office commercial signs unless the following conditions are met:
 - a. The name of the tenant is also the name of the center;
 - b. The distance between the building and the right-of-way exceeds 250 feet;
 - c. The distance between the building and the right-of-way exceeds 100 feet and building visibility from the right-of-way is blocked by structures along at least fifty percent (50%) of the lot width.

In the case of these conditions, up to four (4) tenant listings shall be permitted on up to forty percent (40%) of the freestanding identification sign face.

6. Message boards shall be permitted for commercial buildings, which may occupy no more than twenty-five (25) percent of the freestanding identification sign face, provided that no tenants' names are listed on the sign. However, buildings over 350,000 square feet may apply this twenty-five (25) percent to tenant's names, for a total of sixty-five (65) percent, in place of a message board. No message boards shall be permitted for office buildings

SECTION 21

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subparagraph b.3, "Fences and Barriers," of Subsection 1, "General Permit, Plan and Site Requirements," of Paragraph A, "Swimming Pools," of Section 6-310.1 and to substitute the following as new text for Subparagraph b.3 of Subsection 1 of Paragraph A of Section 6-310.1:

3. Fences and Barriers

A swimming pool permit application must include details and design for the construction of a pool "barrier" (fences walls or enclosures) for the protection of the public. A separate required fence permit may be submitted with a swimming pool permit application provided a signed letter is received from the land owner acknowledging the responsibility of required site barrier protection during and after construction. See Section 6

-310 H "Swimming Pool Fences" of this code for fence regulations. A separate fence permit is not required for spas and hot tubs with a lockable safety cover that complies with ASTM F 1346. In the event of abandonment, such barriers must remain with the swimming pool, hot tub or spa and must comply with the provisions of this Section.

SECTION 22

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Section 6-311, "Wireless Communication Facilities and Satellite Dishes," and substitute the following as new text for Section 6-311:

Section 6-311 Wireless Communication Facilities and Satellite Dishes

A. Purpose and Intent. To ensure the health, safety and welfare of the residents of the Village, all wireless communication facilities in the Village must comply with the following standards and regulations.

B. Definition. Wireless communication facility means infrastructure such as antenna, support structures, equipment, accessory buildings, parking, and other uses associated with and ancillary to wireless communication transmission.

C. Exceptions. Dish antennas less than one meter in diameter, private residence antennas, and private residence amateur radio equipment are not regulated by this Code Section.

D. Authorization. No Person, firm, partnership, corporation, trust or other legal entity shall install or modify a wireless communication facility without obtaining Village authorization as described below.

E. Application.

1. An application or petition submitted to the Development Services Department for a wireless communication facility will require an administrative review for wireless communication co-locations, or a special use permit for new monopoles or utility sub-stations (e.g. communication shelters). See Section 5-101 General Procedures, Requirements and Regulations for process details. The following required documentation must be submitted as part of any petition:

- a. As-built plat of survey of the subject lot showing the exact location and dimensions of the proposed wireless communication facility.
- b. Complete description of the proposal.
- c. A scaled elevation drawing showing all proposed visible equipment.
- d. Structural plans and a structural analysis report prepared and stamped by a licensed Structural Engineer. No approvals or permits shall be issued until all engineering reviews have been completed and approved by the Village. All plans must meet all applicable building codes and current industry standards.
- e. Letter of authorization from the property owner.

2. No project shall be constructed without meeting all required building codes and obtaining necessary building permits.

F. General Standards of Wireless Communication Facilities.

1. Wireless communication facilities shall whenever and wherever possible co-locate on existing vertical infrastructure (e.g. towers, buildings etc.) and use stealth techniques and technologies to minimize their visual and physical presence on a tower or building and shall employ methods that blend wireless infrastructure into

the surroundings so that they are not visible or noticeable, particularly from neighboring rights-of-way, parks and single family homes. Wireless communication facilities must minimize or avoid whenever possible any adverse aesthetic and visual impacts to the land, property, building or tower on which they locate and neighbor.

2. Landscaping and opaque fences shall be used to mitigate the effects of any ground equipment and/or utility sub-stations per the design standards for new freestanding wireless communication facilities of Section 6-311.G.3.g below.

3. Wireless communication facilities shall comply with all site and structural requirements as outlined in the Land Development Code unless otherwise stated in this Code section, and shall be compatible in terms of architecture and site design with the surrounding neighborhood.

4. No equipment shall be operated so as to produce noise above 45 dB as measured from the nearest property line of the lot on which the wireless communication facility is located.

5. Wireless communication facilities shall not be artificially lit or marked except as required by law.

6. The color and materials of wireless communication facilities shall blend with the surrounding environment for visual harmony and to reduce physical masses. This may include matching or complementing building colors and facades, rooftop units or infrastructure, and/ or more generally the sky.

G. Location and Standards of Wireless Communication Facilities.

1. Wireless communication facilities may co-locate as a permitted use via administrative review on existing vertical infrastructure such as towers (e.g. existing lattice towers & monopoles), utility transmission towers (with ComEd approvals), and on water towers provided they do not include accessory buildings like shelters, which are considered utility sub-stations. Monopoles and existing legal non-conforming lattice towers hosting co-locations shall be allowed a single increase in height of not more than fifty (50) feet over the original tower height via administrative review to accommodate co-locations. If a tower is existing legal non-conforming because it is within 500 feet of a residential building, the height shall not be increased. Water tower co-locations shall be allowed a single increase in height of not more than fifty (50) feet over the first co-location, which is considered the original height.

a. Placement of additional equipment on a non-conforming structure shall not be considered an expansion of the non-conformity provided all building code safety and structural requirements are met.

2. Wireless communication facilities may co-locate as a permitted use via administrative review on non-residential buildings outside of the Old Orland Historic District and on non-landmarked buildings using stealth techniques and technologies provided they do not include accessory buildings like shelters, which are considered utility sub-stations. The co-location shall not increase the height of the building more than fifteen (15) feet in any zoning district and shall meet all building code and structural requirements.

3. Wireless communication facilities may locate as a new freestanding monopole via a special use permit on any non-residential parcel located in the VC Village Center District, BIZ General Business District, MFG Manufacturing District, COR Mixed Use District or ORI Mixed Use District, or on institutional parcels in any zoning district provided proximity requirements to residential buildings are met.

a. The parcel must meet the minimum lot size requirement of the zoning district in which it will be located. (Ord. 3837 - 12/1/03)

b. Freestanding wireless communication facilities must meet all setback requirements of the zoning district in which they will be located.

c. Freestanding wireless communication facilities cannot be located in the required landscape buffers of the

zoning district in which they will be located.

- d. Freestanding wireless communication facilities must be a minimum of 500 feet from any residential building.
- e. Freestanding wireless communication towers shall be no taller than 100 feet.
- f. All new wireless communication towers shall be self-supporting monopoles. Guyed or lattice towers are prohibited. All towers shall be constructed with at least one release point so as to bend and fold over on themselves when necessary and meet current industry standards for engineering.
- g. The base and ground equipment of new freestanding wireless communication facilities shall be screened with an eight (8) foot tall solid, opaque fence enclosure constructed of either wood or neutral colored (e.g. non-white) vinyl material. The base and ground equipment enclosure shall be landscaped using bufferyard C requirements as outlined in Section 6-305 Landscaping and Bufferyards of this Code. If the required bufferyard cannot be accomplished due to spatial constraints, other incremental improvements or a fee in lieu of landscaping may be required to mitigate the visual impact to the surrounding area.
- h. Existing on site vegetation shall be preserved or enhanced where possible, and disturbance of existing topography shall be minimized, unless such disturbance would reduce the visual impact on the surrounding area.

4. A special use permit shall not be granted for a new freestanding wireless communication facility unless one or more of the following reasons is found to support it:

- a. The planned wireless communication equipment would exceed the structural capacity of an existing or approved tower or structure within the search radius, as documented by a qualified and licensed professional structural engineer, and the existing or approved tower or structure cannot be reinforced, modified, or replaced to accommodate the planned or equivalent equipment at a reasonable cost;
- b. The planned wireless communication equipment would cause interference impacting the usability of other existing or planned wireless infrastructure, as documented by a qualified and licensed professional engineer, and the interference cannot be prevented at a reasonable cost;
- c. Existing or approved towers and structures within the search radius cannot accommodate the planned wireless communication equipment at a height necessary to function reasonably, as documented by a qualified and licensed professional engineer.

5. Freestanding wireless communication towers and accessory structures shall avoid environmentally sensitive areas and historically, culturally, or architecturally significant areas and their associated view-sheds.

6. New freestanding wireless communication facilities not within the jurisdiction of the Village of Orland Park but within the one and one-half (1-1/2) mile extraterritorial jurisdiction of the Village of Orland Park shall fully comply with the standards and regulations of this Section concerning proximity to residential lots.

H. Removal of Facility

- 1. The Village, through proper legal procedures, may require the owner of a wireless communication facility or owner of the land where the facility is located to remove it upon occurrence of any of the following events:
 - a. The facility was not constructed in accordance with the Village requirements.
 - b. The facility has deteriorated from lack of maintenance.
 - c. The facility has been inactive for a period of at least six months, which shall be considered abandoned.

The Village reserves the right to retain the authority to remove a freestanding wireless communication facility when the above events occur and when the owner and/or the land owner do not comply with these regulations. The facility and all associated ancillary equipment, batteries, devices, structures or supports for that system will be removed at the owner's and/or land owner's expense and the costs of removal shall be a lien against the property. The owner shall be notified via a violation notice and must comply within 60 days from the time of

notification.

SECTION 23

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Paragraph B of Section 6-402 and to substitute the following as new text for Paragraph B of Section 6-402:

B. Except as otherwise part of a planned development, lot dimensions, area and setbacks shall comply with the requirements of Article 6 for the district in which the property is situated. In the case of property located in an unincorporated area of the county, lot dimensions, area and setbacks shall comply with the requirements of the Village's zoning district that is most similar to the county's zoning district in which the property is situated. All lots within the corporate boundaries of the Village shall be of the size required by the zoning district within which the lot is located. In no event shall any residential lot located within the Village's one and one-half (1-1/2) mile extraterritorial jurisdiction be less than 10,000 square feet.

SECTION 24

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Paragraph D of Section 6-402 and to substitute the following as new text for Paragraph D of Section 6-402:

D. Lots shall not block any street extensions which are set forth in the Village's Comprehensive Plan.

SECTION 25

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete Paragraph F, "Private Roads," of Section 6-405 and to renumber the remaining Paragraphs accordingly.

SECTION 26

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 2, "Public Roads," of Paragraph A, "Sidewalks," of Section 6-406 and to substitute the following as new text for Subsection 2 of Paragraph A of Section 6-406:

2. Public Roads.

a. Sidewalks on both sides of a roadway shall be required for all arterial, collector and local streets in the Village of Orland Park. Sidewalks shall delineate the parkway of a right-of-way and shall be at a minimum five (5) feet in width with eight (8) feet of planting strip between the sidewalk and the roadway's back of curb. In the VC Village Center District and OOH Old Orland Historic District and those areas comprising the Downtown Planning District of the Comprehensive Plan (except for residential single family homes attached and detached), sidewalks may extend from building frontage to back of curb, respecting building setback requirements and may replace bufferyard requirements with appropriate applications of street trees (spaced according to parkway standards) and planter beds, as determined via an approved landscape plan, without variance to Section 6-305 Landscaping and Bufferyards.

b. Multi-use paths, such as bicycle paths, shall replace sidewalks in those areas of the Village indicated by the Comprehensive Plan's Recommended Bikeway System subject to review by the Development Services Department. Multi-use paths shall use IDOT standards in IDOT or County rights-of-way or be a minimum of

eight (8) feet wide with a maximum of four (4) feet of planting strip between the path and the roadway's back of curb. In cases where paths terminate, provisions shall be made to loop the sidewalk and multi-use path network. In cases where the network is divided between off-street paths and on-street routes, provisions shall be made to safely transition from either medium and ensure continuity of travel.

c. Sidewalks or multi-use paths as identified by the Comprehensive Plan's Recommended Bikeway System, as reviewed by the Development Services Department, shall be required for arterial and collector rights-of-way on the perimeter of subdivisions or developments (e.g. sidewalks on roadways where the backs of properties front the right-of-way).

d. Either sidewalks or multi-use paths per the Comprehensive Plan's Recommended Bikeway System are required on both sides of any roadway within a ¼ mile radius of a school, park or public building, subject to review by the Development Services Department.

e. New streets shall have sidewalks or multi-use paths per the Comprehensive Plan's Recommended Bikeway System on both sides of the right-of-way. When one side presents grade challenges or other development challenges that inhibit sidewalks or paths, such as the requirement for retaining walls, provisions shall be made to loop the sidewalk or path that would dead-end to the existing network (e.g. cross the street via signed and marked crosswalks and connect). For new streets that connect to existing streets with sidewalks or paths on one side of the right-of-way, provisions shall be made to loop the sidewalk that would dead-end on the new street to the network (e.g. cross the street via signed and marked crosswalks and connect).

f. Sidewalks and multi-use paths per the Comprehensive Plan's Recommended Bikeway System, as reviewed by the Development Services Department, are required for streets and rights-of-way that are below standard widths. Such streets and rights-of-way shall be subject to review by the Development Services Department and shall consider such options as carriage walks, reduced parkways, bike lanes, woonerfs etc. to accommodate pedestrian and cyclist mobility.

SECTION 27

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add the following as a new Subsection 9 of Paragraph B, "Driveways and Driveway Aprons," of Section 6-406 which shall read in its entirety as follows and to renumber the remaining Subsections of Paragraph B accordingly:

9. Residential Shared Driveways Connecting to Streets. Up to three (3) residential lots may share a single private driveway connecting to any street.

SECTION 28

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

SECTION 29

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

SECTION 30

This Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner provided by law. It is ordered that publication of this Ordinance be made by the duplication thereof in pamphlet form, said pamphlets to be deposited in the office of the Village Clerk of the Village of Orland Park, for general distribution.