#2015-45
City of Crystal Lake
Project Review for Planning and Zoning Commission

Meeting Date:	July 20, 2016
Zoning Requests:	Text Amendments to various provisions of the Unified Development Ordinance
Staff Contacts:	Elizabeth Maxwell, 815-356-3605

Background:

- When the City Council adopted the Unified Development Ordinance (UDO) in 2009, it was intended to be a dynamic document that would be updated periodically. Accordingly, reviews were completed at 6 months and 1 year after the adoption of the Ordinance. Additional text amendments were also approved by the City Council based on Planning and Zoning Commission and staff recommendations.
- The proposed text amendments would address issues observed by staff based on their day-to-day application of the UDO and would simplify the requirements and procedures for businesses and residents.
- Additions to the Ordinance are depicted as **bolded.** Provisions to be deleted are marked with a ~~strikethrough.~~

Discussion:

The amendments to the UDO are attached to this report and are in Articles 2, 3, 4, 7, 9, and 10. The changes are as follows:

Article 2

- Allowing Lodges/Membership clubs as a Special Use in the M zoning district.
- Allowing ballrooms, dance halls and banquet halls as a permitted use in the B-2 zoning district.
- The removal of the boarding requirement for dog grooming and clarifying the soundproofing and special use permit requirements.
- Amending the massage criteria to allow the business to open at 8:00 am.
- Removal of the Temporary uses and creating a general temporary use. (All special event requirements will be in the City Code)

Article 3

- Fixing an error where the six foot distance requirement remained.

Article 4

- Clarifying language in the parking section and accessory structure section.

- Allow dumpster enclosures to be constructed of wood if they are not visible.
- Increasing the minimum light levels for car dealers to the Anderson Volkswagen levels.
- Adding design standards for properties in the M zoning district.
- Putting a note regarding the EMC sign standards in the sign section. Clarifying window and projecting sign calculations.

Article 7

- Correcting some language regarding average setbacks.

Article 9

- Amending the Planning and Zoning duties to reduce the members to 7 and allow them to make the final vote on the Administrative Variations.
- The inclusion of an Administrative Variation process. This process would allow minor modifications to non-conforming structures provided they do not increase the non-conformity.

Article 10

- The addition of new definitions.

Recommendation:

If the PZC's direction is to approve these changes, the following changes to the UDO are recommended.

City of Crystal Lake
Development Application

Office Use Only
File # 2015-45

Project Title: UDO Amendment

Action Requested

__ **Annexation**
__ **Comprehensive Plan Amendment**
__ **Conceptual PUD Review**
__ **Final PUD**
__ **Final PUD Amendment**
__ **Final Plat of Subdivision**
__ **Preliminary PUD**
__ **Preliminary Plat of Subdivision**
__ **Rezoning**
__ **Special Use Permit**
__ **Variation**
x **Other**

Petitioner Information

Name: City of Crystal Lake
Address: 100 W. Woodstock Street
Crystal Lake, IL 60014
Phone: 815-356-3615
Fax: **815-479-1647**
E-mail: jrichter@crystallake.org

Owner Information (if different)

Name:
Address:
Phone:
Fax:
E-mail:

Property Information

Project Description: UDO Amendment – Various Articles

Project Address/Location: n/a

PIN Number(s): **n/a**

Development Team

Please include address, phone, fax and e-mail

Developer: n/a

Architect: n/a

Attorney: n/a

Engineer: n/a

Landscape Architect: n/a

Planner: n/a

Surveyor: n/a

Other: n /a

Signatures

PETITIONER: Print and Sign name (*if different from owner*) **Date**

As owner of the property in question, I hereby authorize the seeking of the above requested action.

OWNER: Print and Sign name **Date**

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION

OF

City of Crystal Lake

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission for the purposes of seeking a UDO Text Amendment to make various changes to the language of Article 2 Land Use; Article 3 Density and Dimensional Standards; Article 4 Development and Design Standards including Sections 4-200 Off-Street Parking and Loading, 4-400 Landscape and Screening Standards, 4-600 Accessory Structures and uses, 4-700 Fences, Walls and Screening, 4-900 Design Standards, and 4-1000 Signs; Article 7 Nonconformities, Article 9 Administration, Article 10 Definitions and the Appendix.

A public hearing before the Planning and Zoning Commission on this request will be held at 7:30 p.m. on Wednesday, July 20, 2016, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald July 5, 2016) 1204029

ARTICLE 2

2-300 Permitted use table
Table 2-300 Permitted Uses Table

	F	E	RE	R-1	R-2	R-3a	R-3b	O	B-1	B-2	B-4	M-L	M	W
Lodges/Membership Club								P		P	P	P	**S**	

	F	E	R	R-1	R-2	R-3a	R-3b	O	B-1	B-2	B-4	M-L	M	W
Ball room, dance hall, banquet hall										**P**				

	F	E	RE	R-1	R-2	R-3a	R-3b	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
Massage (Therapeutic) Establishment								S		S	S				2-300C-**65**

		F	E	RE	R-1	R-2	R-3a	R-3b	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
Temporary	~~Real Estate office~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-1~~
	~~Holiday tree~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-2~~
	~~Religious Tent~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-3~~
	~~Seasonal garden~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-4~~
	~~All other promotions~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-5~~
	~~Temporary Storage~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-6~~
	~~Arts &Craft~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-7~~
	~~Mobile Vendor~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~T~~	~~2-500B-8~~
	General	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**T**	**2-500B-1**

2-400 Limited and special use criteria
2-400 C. Review criteria for specific uses. The following review criteria for specific uses, to be approved as either limited or special uses are hereby established.

16. Pet Care (except veterinary) services. Pet care (except veterinary clinics) services must comply with the following standards:

a. Leashing and Control: All animals arriving at and leaving the property are to be leashed and under control at all times.
b. Boarding: All boarding shall be conducted inside of the principal building.

c. Outside run fencing: Outside run areas are to be fenced with at least a six-foot tall solid fence. Animals may be released to the outside run areas only between 6:00 a.m. and 9:00 p.m. Chain link fences with slats must be approved by staff as meeting the intent of the solid fence. **(this criterion does not apply to facilities that only provide grooming services).**
d. Animal waste: Animal waste on the exterior of the property must be removed on a daily basis and disposed of in a sealed container to prevent odors from affecting adjacent tenants or property owners.
e. Sound: Where located in a multi-tenant building, the suite may be required to be sound proofed **to ensure sound levels do not exceed 65dB as measured 5 feet from the adjacent interior wall of the adjacent tenant suites** ~~to a level deemed appropriate by the Building Commissioner depending on the size of the kennel and adjacent uses~~.
f. Adjacent to residential properties: Where ~~located immediately adjacent to residential properties,~~ **the pet care facility is located in a free-standing building, tenant space, or the outside run for the pet care facility is adjacent to a property occupied by a residential use,** a special use permit approval is required.

25. **(Amended)** ~~Ball rooms, dance hall, banquet hall. Ball rooms, dance halls and banquet halls must comply with the following standards:~~

~~a. Parking: Ball rooms, dance halls and banquet halls must provide the required parking in accordance with the provisions of Section 4-200, Off-street Parking and Loading, for the maximum fire rated capacity for the indoor and any outdoor areas.~~
~~b. Loading Area: A covered, passenger drop-off area that is located outside of the parking lot drive-aisles and that offers vehicle stacking for three twenty-foot long vehicles must be provided.~~

65. Massage establishment. All massage establishments must comply with the following criteria:

a. A floor plan, drawn to scale is required illustrating all the services/uses listed.
b. A complete list of the names, residence addresses, with zip codes, and dates of birth of all licensed massage therapists engaged in massage at the massage establishment, as well as current copies of the licenses as issued by the State Department of Professional Regulation of all licensed massage therapists must be provided.
c. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
d All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
e. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
f. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.

g. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and **8:00** ~~11:00~~ a.m.
h. No residential use is permitted within the massage establishment at any time.
i. Alcohol is not permitted to be served in a massage establishment at any time. By applying for a special use, the applicant is authorizing the City, its agents or employees to seek information and conduct an investigation into the truth of the statements set forth in the application, including an investigation of the applicant's character, qualification and criminal background check.
j. By applying for a special use, the applicant is consenting to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.
k. Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.

2-500 Temporary Use Criteria

A. Application. Applications for temporary use permits (TUPs) shall be made to and approved by the Zoning Administrator. TUPs which cannot meet the standards provided in this section are required to be approved by the City Council. The Zoning Administrator, at his/her discretion, may require City Council approval for any TUP request in accordance with the provisions of this Ordinance. Application for temporary use permits, where valid complaints or documented violations of previous temporary use permit approvals are noted, are required to be approved by the City Council.

B. Review criteria for temporary uses. The following standards for specific uses, to be approved as temporary uses are hereby established. ~~(Please note that construction trailers, contractor's construction, equipment and office trailers for residential projects and employment and construction trailers for nonresidential projects are approved through the building permit process through the Building Division.)~~

~~1. Real estate sales office. Real estate sales office must comply with the following standards:~~

~~a. Term: Temporary uses shall be valid for a period not to exceed one year. This approval is renewable. For developments with an approved growth management plan, the term of approval can match the approved development schedule.~~
~~b. Number, condition and location: Up to two sales trailers are permitted per development. Trailers must be maintained in good condition. Sales trailers shall not be located in any easements or above any drainage structures or in the sight line triangle.~~
~~c. Removal: The sales office shall be removed upon completion of the development of the project~~
~~d. Structure: A model home or other structure may be used as a temporary sales office, except that sleeping and cooking facilities shall not be used.~~

e. Setbacks: Sales offices must comply with the setback requirements for a principal structure in the zoning district in which it is located.
f. Parking: An eight-space, temporary, paved parking lot for the sales staff and customers that will use the sales office must be provided. Parking can be located on the subject property or on an adjacent lot within 200 feet of the office. The parking lot shall provide landscaping as required by the Zoning Administrator.
g. Other conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.
h. Signs: A sign with a 50 square feet maximum area (for one face, 100 square feet double-face) and no more than eight feet high shall be permitted for the real estate sales office. The sign shall be located at least 10 feet from the property line.

2. Holiday tree and decoration sales. Temporary uses for holiday tree and decoration sales must comply with the following standards:

a. Term: Temporary uses shall be valid for a total time period of not more than 45 days per calendar year.
b. Location: Stock shall be located away from rights-of-way and must not obstruct pedestrian ways, drive aisles and driveways, and the items must not cause other public health, safety and fire protection issues.
c. Securing of sale items: Trees and other sale items must be properly secured to avoid blowing during periods of high wind.
d. Clean-up: Clean-up on the site shall be completed by January 5 of the following year.
e. Other conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.
f. Holiday tree and decoration sales that are conducted by non-Crystal Lake entities (located outside Crystal Lake City limits) are required to seek approval from the City Council.

3. Religious tent meeting. Religious tent meetings must comply with the following standards:

a. Term: Temporary uses shall be valid for a total time period of not more than 10 days per calendar year.
b. Location: Tents shall be located away from rights-of-way and must not obstruct pedestrian ways, drive aisles and driveways.
c. Food served: If food is to be sold or served at the event, approval from McHenry County Health Department is needed.
d. Other conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.

4. Seasonal sale of farm and garden produce. Temporary uses for farm and garden produce sales must comply with the following criteria:

a. Term: Temporary uses shall be valid for a total time period of not more than four months per calendar year.
b. Items: Only produce and garden plants (i.e., pumpkins, watermelons, flowers and vegetable plants) are allowed.
c. Location: Stock shall be located away from rights-of-way and must not obstruct pedestrian ways, drive aisles and driveways, and the items must not cause other public health, safety and fire protection issues. Any such sale may not take place from a temporary structure or mobile unit other than an unenclosed sales counter.
d. Setbacks: The sales area must comply with the setback requirements for a principal structure in the zoning district for which it is located temporarily.
e. Other conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.
f. Nuisance: The use will be operated in a way that will not constitute a nuisance by reason of an unacceptable level of air or water pollution, excessive noise, offensive odors, or serious hazard to vehicles or pedestrians.
g. Teardown: Any structures associated with the temporary use shall be removed in its entirety within 15 days of the termination of the use.

5. **1.** All other promotions, events, or **General** temporary uses. All other promotions, events, or uses that are determined to be a temporary uses by the Zoning Administrator must comply with the following criteria:

a. Term: The petitioner shall specify the date(s) of the activity.
b. Event details: Provide a detailed written explanation of the promotion or event, including, but not limited to, hours of operation, list of activities, location of activities, and an explanation of who would be participating in the use.
c. Location: A site plan shall be provided illustrating the location of all items, activities, and equipment to be used during the event or promotion.
d. Other conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.

6. Temporary (portable) storage units (including temporary dumpsters). Permits are not required for temporary (portable) storage units (including temporary dumpsters) as long as they meet the criteria established below:

a. No more than two units [temporary (portable) storage unit and/or temporary dumpster] are permitted per property.
b. Any temporary (portable) storage unit and temporary dumpster that is not associated with a building permit can remain on a property for no more than 30 consecutive days. A thirty-day extension may be granted administratively by the Building Commissioner, if no complaints have been received. Where requested as part of a building permit, portable storage units and temporary dumpsters are permitted for the duration of construction and shall be removed from the site within 14 days of the end of construction.
c. The temporary (portable) storage unit must be no larger than 10 feet wide, 20 feet long and 10 feet high.

d. Temporary (portable) storage units and dumpsters must be set back a minimum of five feet from all property lines and at least six feet from any structure.
e. Temporary (portable) storage units and dumpsters must be placed on an approved surface.
f. Temporary (portable) storage units and dumpsters are not permitted on public rights-of-way; or stored in a manner that will obstruct sight lines of pedestrians or vehicles; or stored such that they affect required parking.
g. At no time shall the temporary (portable) storage unit be used for storage of illegal, toxic or hazardous materials.
h. The units shall be maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks, at all times.
i. Any temporary (portable) storage units and dumpsters not meeting these requirements must request City Council approval.

7. Arts and crafts show. An administrative permit, not requiring City Council approval, for an arts and crafts show may be issued in accordance with the following procedure:

a. Application. An application for an arts and crafts show permit shall be made to the Community Development Department 30 days prior to advertising for an arts and crafts show. No advertisement of the event shall be conducted until final approval for the event is granted by the City of Crystal Lake. Advertisement of the event prior to City approval shall be grounds for denial of the application. An application shall include the following:
(i) Temporary use permit fee.
(ii) Completed application form. The applicant must be the owner and/or resident of the property. If the resident is not the property owner, the property owner's written consent is required.
(iii) Graphic depiction of the premises to be used for the arts and crafts show (site plan and floor plan).
(iv) Written description of where patrons of the event are expected to park and/or be shuttled.
(v) Any other information which is necessary for a complete review of the application.
b. Appeal. Schools and churches may be exempt from obtaining an arts and crafts show permit if they can demonstrate all on-site parking will remain available to operators and patrons of the show. No on-site parking may be displaced by exhibits or other operations related to the arts and crafts show. Proposals which, in the opinion of the Director of Community Development, do not readily conform with criteria for administratively approving an arts and crafts show will be required to obtain approval from the City Council.

8. Mobile vendors must comply with the following standards:

a. Mobile vendors shall be regulated by the issuance of a temporary use permit (TUP).
b. The TUP will be issued for a period of one year with an effective date of May 1 and an expiration date of April 30.

c. A total of six TUPs will be issued for mobile vendors. Three will be for food vendors and three will be for non-food vendors.
d. A mobile vendor will be defined as anyone who "offers for sale and immediate delivery any food, goods or merchandise from any motorized vehicle or any trailer, cart or other container attached to or intended to be attached to any motorized vehicle (NOTE: "Mobile vendor" does not include those vendors licensed pursuant to Chapter 504of the City of Crystal Lake Municipal Code).
e. Mobile vendors shall not be permitted to operate within the City of Crystal Lake without having first received a TUP issued by the Director of Community Development. The TUP will be issued by the Director of Community Development.
f. Any mobile vendor selling food items must provide evidence or a current permit issued by the McHenry County Health Department as a condition of the issuance of a TUP and such permit must be maintained as current during the term of the TUP.
g. Mobile Vendors may operate in any district other than residential districts.
h. The Fire Rescue Department must inspect any vehicle used by a mobile vendor for the sale of food.
i. The Mobile vendor must dispose of all waste.
j. The Mobile vendor must provide evidence of insurance.
k. Mobile vendors must comply with all noise regulations of the City.
l. Mobile vendors may not provide seating or tables for customers of the mobile vendor.
m.No signage other than such signage that is painted or permanently affixed to the vehicle.
n. No amplified sound or music may emanate from the mobile vendor's vehicle.
o. A mobile vendor can only operate upon private property with the permission of the owner.
p. Mobile vendors cannot engage in sales upon any public streets or other public property.
q. Mobile vendors cannot operate upon any single lot within the City for a period or more than eight hours during any twenty-four-hour period.

ARTICLE 3

3-300 Measurements and Exceptions

C. Exceptions

2.
(Commentary Box)

Where a porch, patio, or terrace is converted to a screened porch, patio or terrace, it is treated as part of the principal structure and must meet the setback requirements for a principal structure. Additional of a roof structure (no side enclosures) also renders an accessory patio or terrace to be treated as part of the principal structure. Decks and platforms, open to **the** sky, whether attached to the principal structure or within **five** ~~six~~ feet are considered as part of the principal structure and are subject to all regulation of this Ordinance, applicable to the principal structure.

ARTICLE 4

Section 4-200(D) Off-Street Parking and Loading

4. Minimum number of spaces required.

a. Every use must provide adequate parking spaces on-site **to meet the demand for the proposed land use.** ~~in accordance with the provisions of this Ordinance.~~ If the normal parking demand generated by a use is greater than the parking requirement as determined by this Ordinance, adequate parking to meet the demand must be provided. All uses must provide adequate parking for business patrons as well as employees. The minimum required number of parking spaces to be provided for each use shall be per Table 4-200D-1 of this Ordinance (Reduced requirements shall apply to uses in the Downtown District and the Virginia Street Corridor District Overlay District per Sections 4-200B5 and 3-400B.). Uses that are not listed in Table 4-200D-1 shall provide parking spaces per the provisions in Planning Advisory Service (PAS), Report 510/511, Parking Standards, published by the American Planning Association, which is adopted by reference herewith, as amended. For convenience, required parking for certain customary uses is included in the Appendix.[1] Please contact the Community Development Department to request parking standards for uses not listed in Table 4-200D-1 or the Appendix. **[Amended 6-3-2014 by Ord. No. 7034]**

4-600 Accessory Structures

B. General Standards

7. Are not located within five feet of a principal structure~~, unless the minimum fire-resistance rating requirements per the International Residential Code (IRC) (which requires a fire rating of 20 minutes for that wall of the accessory structure parallel to the principal structure) are complied with~~.

E. Location of accessory structure

2. Side and rear yards

(iii) Accessory structures on lots in residential subdivisions that are greater than 600 square feet in area are required to meet the principal structure setbacks. **Exemption: Flatwork such as patios and decks not more than 12 inches above the ground are exempt as long as the five-foot side yard setback is met and the maximum allowable impervious coverage is not exceeded.**

b. For residential uses fronting crystal lake: ~~Accessory buildings or structures are not permitted in the side yard.~~ Accessory buildings or structures in the rear (street) yard are permitted as long as they meet the setback requirements of the Ordinance. Signs (in compliance with Section 4-

1000, Signs); mailboxes; flagpoles; fences (in compliance with Section 4-700, Fences, walls and screening) are excluded from this requirement. All existing accessory structures located in side and rear (street) yards as of May 16, 2006, are considered as legal nonconforming structures and shall conform with the requirements set forth in Article 7, Nonconformities, of this Ordinance.

c. ~~Attached or~~ detached above-ground ~~or in-ground~~ swimming pools or above-ground swimming pool and deck combinations must meet the five-foot required accessory structure setback requirements. **In-ground swimming pools and any related flat work whether attached or detached to the principal structure must meet the five-foot required accessory structure setbacks.**

4-700 Fences, Walls and Screening

C. Required fences

2. Refuse containers and facilities.
Nonresidential properties: Refuse containers and facilities shall be hidden by an opaque wall or opaque fence of sufficient height to screen the bin and any appurtenances, but not less than six feet in height. Walls and fences shall be constructed to match the architectural detail of the principal structure, **unless they are not visible from the right-of-way or main drive aisle, as determined by the Zoning Administrator, and then can be constructed entirely of wood,** and contain a securable gate to minimize blowing refuse. Trash containers serving nonresidential uses shall not be located abutting residential property. Trash/Refuse containers shall be placed only on an approved surface ("Approved surface" shall mean asphalt/bituminous, concrete/PCC, brick pavers, and any surface that is approved by the City's Engineering ~~and Building Department~~ **Division)**.

Section 4-800

Table 4-800D(1)
[Amended 1-18-2011 by Ord. No. 6641; 3-1-2016 by Ord. No. 7200]

Illuminated Surface	Minimum Light Level (footcandles)	Maximum Average Light Level (footcandles)
Non-internally illuminated signs (wall and ground, light color)	—	5.0
Non-internally illuminated signs (wall and ground, medium color)	—	10.0
Non-internally illuminated signs (wall and ground, dark color)	—	15.0
Auto Dealerships: Front Row and Feature Displays Other Merchandise Areas	— — 	 ~~20.0~~ **32.0** ~~10.0~~ **20.0**

Table 4-800D(1) [Amended 1-18-2011 by Ord. No. 6641; 3-1-2016 by Ord. No. 7200]		
Illuminated Surface	**Minimum Light Level (footcandles)**	**Maximum Average Light Level (footcandles)**
Private or Public Parking areas*	0.25	4.5
Vehicular Entrances from Right-of-Way*	1.0	4.5
Playing Fields	—	IESNA**
Automobile Service Station/Pumping Areas[1]	10.0	50.0
Drive-In/Drive-Through Canopies[2]	—	15.0
Building Entrance and Exit Pedestrian Pathways*	1.0	5.0
Stairways and Steps*	1.0	5.0
*	Maximum-to-minimum light level ratio shall not exceed 12:1	
**	Illuminance level specified in Table 7 of IESNA document RP-6-01	

Section 4-900(D)(1)(b)

Design elements required: The combination of the following design elements in Table 4-900D(1) is required for any dwelling units subject to the provisions of this section.

Table 4-900D(1) Applicability of Design Elements	
Standard	**Applicability**
Site Layout – Building Orientation	O
Site Layout – Building Orientation to Street Edges	O
Site Layout – Building Orientation to non-street property lines	O
Building Design – Mass and Form	~~O~~ **M**
Building Design - Facade Articulation	M
Building Design - Roof Articulation	M
Building Design - Building Materials	M

Table 4-900D(1) Applicability of Design Elements	
Standard	**Applicability**

M = Standard is mandatory
O = Standard is optional**; multi-family residential developments are required to comply with at least one of the optional standards.**

Section 4-900(E)(1)

1. Applicability.

a. The commercial design standards shall apply to all new commercial uses in the O, B-1, B-2, B-4 and W Districts, excluding public schools and junior colleges, universities and professional schools. In addition to new commercial uses, these standards shall apply to any commercial buildings existing at the time of the adoption of this Ordinance, if any expansion or alteration exceeds 50% ~~of structure's assessed value~~ **of the façade area, as determined by staff,** at the time of expansion or alteration. Where these guidelines conflict with any other guidelines established for a specific geographic area, the guidelines associated with the geographic area shall apply.

Section 4-900(E)(2)(a)

[Must meet ~~(i) through (iv)~~ **all applicable standards** to be acceptable as meeting the criteria **as determined by the Zoning Administrator**.]

Section 4-900(E)(2)(e)

[Must meet ~~(i) through (v)~~ **all applicable standards** to be acceptable as meeting the criteria **as determined by the Zoning Administrator**.]

Section 4-900(E)(2)(g)

[Must meet ~~(i) through (iv)~~ **all applicable standards** to be acceptable as meeting the criteria **as determined by the Zoning Administrator**.]

Section 4-900(E)(2)(j)

[Must meet ~~(i) through (xiv)~~ **all applicable standards** to be acceptable as meeting the criteria **as determined by the Zoning Administrator**.]

Section 4-900(F)

F. Industrial design standards.

1. Applicability.

a. The industrial design standards shall apply to all new industrial and permitted uses in the M-L, M, and W Districts, excluding public schools, colleges, universities and professional schools. In addition to new industrial uses, these standards shall apply to any industrial buildings existing at the time of the adoption of this Ordinance, if any expansion or alteration exceeds 50% of the façade area, as determined by staff, at the time of expansion or alteration. Where these guidelines conflict with any other guidelines established for a specific geographic area, the guidelines associated with the geographic area shall apply.

b. Design elements required: The combination of design elements per Table 4-900F(1) below is required for any development subject to the provisions of this section.

Table 4-900F(1) Applicability of Design Elements	
Standard	**Industrial Development**
Building Form and Massing	O
Rooflines and Parapet	O
Building Materials	O
Building Colors	O
Entrance Design	O
Overall Facade Design	O

M = Standard is mandatory

O = Standard is optional; industrial developments are required to comply with at least three of the optional standards.

2. Standards for development.

a. Building form and massing.

(i) In developments with multiple structures, recurring forms and materials should be used to tie the development together, while establishing an overall hierarchy of buildings for visual interest and to aid in orientation.

(ii) The apparent mass and bulk of a large building should be reduced by structural articulation, windows or other architectural and functional elements and by landscaping. Structural articulation can include breaking the plane of the building by off sets (horizontal and vertical), insets for entryways or balconies, step backs, and consideration of alternative roof structures.

(iii) All facades shall incorporate wall offsets in the form of projections and/or recesses in the facade plane, a minimum of every 75 feet of frontage, that has a differential in horizontal plane of at least two feet.

[Must meet (i) through (iii) to be acceptable as meeting the criteria.]

b. Rooflines and parapet.

(i) Roof lines should be varied in height and long horizontal roof lines should be broken up.

(ii) Large expanses of roof shall be avoided. Visual diversity can be achieved by varying the roof line and/or the addition of dormers. Diversity can also be achieved by staggering the facade of the building thereby breaking up an otherwise potentially monotonous roof and front facade as well as reduce the visual mass of the building.

(iii) Pitched roofs shall have overhangs. Eaves should project at least 12 inches beyond the facade line.

(iv) Specialized architectural details are encouraged on both flat and pitched roofs, to the extent compatible with the building's overall architectural style. Examples of such features include, but are not limited to, the following:

- Crenellation (flat roofs)

- Finials (pitched roofs)

- Dormers (pitched roofs)

- Cupolas

(v) Parapet walls should have a defined top, framing the building facade. A narrow piece of metal flashing or stone cap is considered inadequate to create this distinction. Brick patterns, deeper stone caps with an over hang and shadow line, and contrasting color for flashing are examples of treatments which may be considered to meet this guideline.

(vi) Parapets should not appear to be "tacked on." Parapets should provide sufficient articulation of detail such as precast treatments, continuous banding, projecting cornices or corner details.

(vii) Faux-pitched roofs (through the use of parapets) are discouraged except to the extent minimally necessary to shield roof-based mechanical equipment.

(viii) If mansard roofs are utilized, they will wrap around the entire building perimeter.

[Must meet four of (i) through (viii) to be acceptable as meeting the criteria.]

c. Building materials.

(i) A compatible variety of siding materials (i.e., masonry, concrete texturing, cement or plaster) should be used to produce effects of texture and relief that provide architectural interest.

(ii) Exterior insulation finish systems (EIFS)/Drivit® is not permitted as the primary building material, but permitted as an accent material.

(iii) The use of metal as a primary building material shall be permitted only where appropriate to the architectural style of the building and when exceptional building design warrants the use of the material. When used, metals will have an anodized, painted or powder coated finish in muted, non-bright colors that are aesthetically pleasing. The use of unfinished, exposed metals is not permitted.

(iv) Stone, simulated stone, terra cotta, wood and metal are recommended as accent materials. Metal may be used for gutters, downspouts, railings, trim, grills, panels and flashing.

(v) Where transitions in material are made, the transition will not occur at an outside corner edge. All materials on the front will turn the corner and carry over to the side elevation to a point at which the corner looks solidly finished. Material changes at the outside corners of structures give an impression of thinness and artificiality and should be avoided.

[Must meet (i) through (v) to be acceptable as meeting the criteria.]

d. Building colors.

(i) Colors should be muted and complement each other. While complementary colors for different elements are encouraged, a multitude of varying colors on each facade is not permitted.

(ii) The natural color of the material should be maintained wherever possible. Where materials are painted, a neutral color should be chosen.

(iii) Contrasting trim colors should be used to highlight architectural elements such as window and door surrounds. Harsh, jarring contrasts

should be avoided, except where true to the architectural style of the building.

(iv) Applied elements such as awnings, light fixtures, downspouts, railings and signage should coordinate with, rather than dominate the color scheme of the building. The elements may be the same color as the background wall, a contrasting shade of the same color, or a more distinctive contrasting color. The important thing is to blend with the building's color palette.

(v) Primary, fluorescent or neon colors are not permitted for use as accent colors, including awning body color.

[Must meet (i) through (v) to be acceptable as meeting the criteria.]

e. Entrance design.

(i) Recessed or projected entries and articulation in entryway mass is required. Recesses or projections shall be at least 12 inches.

(ii) Entrances should be highlighted by a change in the wall plane. Wall articulation around the door and projecting beyond the door is recommended.

(iii) A projecting element above the entrance is recommended to highlight the entrance.

(iv) Entrances should be highlighted by implementation of architectural elements such as flanked columns or decorative fixtures.

(v) Varied paving textures and/or elevation changes are recommended techniques to define entrances.

[Must meet three of (i) through (v) to be acceptable as meeting the criteria.]

f. Overall facade design.

(i) Building facades should be organized to have a clear base, middle, and top.

(ii) Changes in vertical and horizontal planes should be used to provide relief from a box like appearance.

(iii) On facades longer than 150 feet, the use of pilasters is recommended to create the appearance of smaller "bays."

(iv) Vertical elements such as towers can be used to accent horizontal massing and provide visual interest, especially on corner buildings.

(v) Details such as wall surfaces constructed with patterns, changes in materials, building popouts, columns, and recessed areas should be used to create shadow patterns and depth on the wall surfaces.

(vi) Blank walls on facades visible from public or private rights-of-way will not be permitted. Consider utilizing windows, wall articulation, arcades, changes in materials, or other features.

(vii) Minor surface detailing should not be substituted for distinctive building massing. Minor surface detailing includes score lines or changes in color rather than a change or relief in the wall plane.

(viii) Downspouts shall blend with the architecture or act as an accent, not a dominant feature. Coordinate downspouts with horizontal features (like banding or coursing), and vertical elements (like pilasters, columns, and corners). Downspouts shall not be the only relief feature in a wall.

(ix) False fronts and false roof structures applied to generic buildings are not appropriate. Facade treatments should be applied to all sides of a structure and be integral to the overall massing of the building.

(x) Applied veneer "movie set" storefronts, token panels of brick on building fronts and blank masonry walls on the rear of buildings are not permitted.

(xi) Ornamentation should be avoided except as an enhancement of the overall facade design and ornamental details should complement the surrounding facade in color and material.

(xii) Ornamentation should not be used as a substitute for quality architectural facade design.

[Must meet all applicable standards to be acceptable as meeting the criteria.]

Section 4-1000

TABLE 4-1000F-1 Commercial Signs
[Amended 1-18-2011 by Ord. No. 6641]

Quantity	Sign Type	Size (sq. ft.)	Height (Feet)	Notes	
1*	Freestanding	60	8	Permitted for food service drive-through tenants only. Must be located behind the front building line. [Please refer to the handout - "Signage for Limited-Service (Fast Food) Restaurants" for signage requirements. [Amended 12-20-2011 by Ord. No. 6765]	
1*	**Freestanding-EMC**	**See Section 2-400(C)(61)**	**See Section 2-400(C)(61)**	**EMC signs require a Limited Use Permit, please see Section 2-400(C)(61).**	
Multiple	Freestanding	4	3	Way-finding signs	
1*	Projecting	9	Between 8 and 15 feet above mean ground level	Permitted in Location B only **and is to be included in the total square feet of wall signage.** ~~if the projecting sign replaces the permitted wall sign.~~ Limited to a maximum of 4 foot projection and 3 foot width.	

ARTICLE 7

7-200 Nonconforming recorded lot

1. In a residential zoning district

a. A nonconforming recorded lot may be used for a single-family dwelling in the E, RE, R-1, R-2, R-3A, R-3B and W Zoning Districts, or a two-family dwelling, in the R-3A and R-3B Zoning Districts, provided that the lot meets the regulations of (i) through (vii) of this Section 7-200B-1a.

(iii) Front setback: The front setback shall not be less than 1) 70% of the required front yard as listed in Article 3 of this Ordinance; ~~or 2) the average existing setback of the dwellings on the two closest lots, whichever is greater~~ **or 2) Where the established dwellings on the same side of a block, or measuring a total distance of 400 feet from the lot in question, whichever is less, have an average setback that is 10 feet greater or less than the required setback, the setback for the lot in question shall be the average of the established dwellings**.

ARTICLE 9

9-100 Administrative and Decision-Making Bodies

A. Zoning Administrator.

5. Preside over the Administrative Variation hearing process and make rulings upon such administrative variation requests as may be authorized by this ordinance.

9-100 C. Planning and Zoning Commission

2. Membership: The Planning and Zoning Commission shall consist of ~~9~~ **7** members who are residents of the City of Crystal Lake.

6. Powers:

h. To hear and make a final vote on Administrative Variations referred to it by the Zoning Administrator.

9-200 Specific standards and other requirements for applications for development approval.

I. Administrative Variation

1. **Application. Any property owner in the City of Crystal Lake may file a petition for such Administrative Variations, as may be authorized by this section of the ordinance. The petition shall be made in writing and shall be accompanied by maps, plans and other information as required in Section 9-200 A.**
2. **Standards for approval. To be eligible for an administrative variation, the petition shall meet the following standards:**
   a. **The petitioner is performing maintenance, on a legally permitted structure, which may include removal and replacement, but shall not increase the non-conformity.**
   b. **The improvement is to meet a building code requirement; such as, a stoop or landing for egress purposes that would encroach into the setback provided the improvement is the minimum necessary to meet the code.**
   c. **The construction of an accessory structure (deck, fence, etc.) which does not increase the non-conformity as established by the principal structure. [ex. A deck may be constructed off the rear of the house, provided it does not extend farther into the setback than the farthest point of the house. A fence, which does not meet the setback requirement for the proposed height, may be constructed provided it does not extend farther into the setback than the house.]**

d. The addition/enlargement to a non-conforming structure, which does not increase the non-conformity into the setback, as established by the farthest point of the existing structure.

e. The variation is the result of right-of-way taking.

f. The minimum parking space requirements of Section 4-200 cannot be met and if one of the following is met:

i. The parking requirements of a specific use or development necessitate fewer parking spaces than required by this Ordinance. In support of such request, the applicant must present a trip generation and parking demand study or such other information deemed to be reliable by the Zoning Administrator which demonstrates the reduced parking demand for the development.

ii. For existing buildings in the Downtown District and Virginia Street Corridor, when a change of use to a more intensive use makes compliance with the required number of parking spaces impossible because of specific site constraints, the applicant may request to reduce the required number of off-street parking spaces.

g. The variation cannot be for a setback encroachment in the front yard of a lake lot.

3. Procedure. Upon receipt of a completed application for an administrative variation, the Zoning Administrator shall set a meeting date to review the variation.

4. Notice. Petitioner shall provide a copy of the legal notice by first-class mail to each adjacent property owner. Adjacent shall mean across the street and kitty-corner, on either side of the lot and behind including kitty-corner. The notice will include a letter detailing the process and how to make an objection to the request. The petitioner shall also post a sign on the zoning hearing sign on the subject property.

5. Action. The Zoning Administrator, upon receiving no objection from the public, shall approve or deny the variation request. If an objection from the public is received or if the Zoning Administrator determines that the variation does not meet the above standards, the variation shall be referred to the Planning and Zoning Commission for final action as outlined in Section 9-200 C 6 h.

~~I.~~ **J.** Appeals and stays of proceedings

J. **K.** Withdrawal of application and repeated application

~~K.~~ **L** Notice.

~~L.~~ **M.** Permits

~~M.~~ **N.** Fees

~~N.~~ **O.** Penalties

~~O.~~ **P.** Separability

ARTICLE 10

10-200 Definitions

A. General definitions

ACCESSORY STRUCTURE – A structure which is detached from a Principal Structure or Principal Building and located on the same Zoning Lot and customarily incidental to and subordinate to the Principal Structure or Principal Building, except as otherwise expressly authorized by provisions of this Code.

ACCESSORY USE – A use which is located on the same Zoning Lot as a Principal Use and customarily incidental to and subordinate to the Principal Use.

ATTACHED – A structure or series of structures that are connected, joined, share a common wall or are within 5 feet, to a principal structure or one another. This includes decks, sheds, gazebos, pools, etc. provided they are 12 inches or greater above grade.

CARPORT - A roofed structure usually projecting from the side of a building, but may also be free-standing, which is missing one or more walls and would not be considered enclosed, which is used for storing motor vehicles, boats and trailers.

DETACHED – A structure or series of structures that are separate and share no common wall or access and are farther than 5 feet from a principal structure or any other structure. Structures less than 12 inches above grade are considered detached.

ENCLOSED – To be closed in on all sides.

GARAGE – A building or indoor area for parking or storing motor vehicles, boats, trailers, and other personal belongings. A garage shall be fully enclosed.

PRINCIPAL BUILDING OR STRUCTURE – A building or structure on a zoning lot intended to be utilized for a principal use.

PRINCIPAL USE – The use or, when expressly authorized by this Code, uses of a zoning lot, whether permitted or specially permitted, designated by the owner of such lot as the primary or main use or uses of such lot and to which any other use on such lot must be accessory.

LOT – The word "lot" when used alone shall mean a "zoning lot," unless the context of this Ordinance clearly indicates otherwise. The words lot, property, parcel, zoning lot are synonymous, unless the context of this Ordinance clearly indicates otherwise. **A lot is a distinct portion or piece of land and shall abut a public street or an approved private street.**

LOT, ZONING – A tract of land consisting of one or more lots of record under single fee title ownership located entirely within a block and occupied by, or designated by its owner or developer at the time of filing for any zoning approval or building permit as a tract to be

developed for a principal building and its accessory buildings, or a principal use, together with such open spaces and yards as are designed and arranged, or required under this Code, to be used with such building or use; provided, however, that no tract of land created in whole or in part as the result of any activity undertaken in violation of any, or without full compliance with all, provisions of this Code and other applicable state, county, and village laws, ordinances and regulations shall be used as a zoning lot. Notwithstanding the foregoing, sale of individual lots of record underlying individual dwelling units in a single family attached dwelling, following issuance of a Zoning Certificate of Occupancy for such dwelling, shall not prevent treatment of the tract of land underlying such dwelling as a zoning lot and all applicable bulk, space, yard and setback requirements shall be applied with respect to such dwelling and such zoning lot rather than with respect to individually-owned dwelling units and lots of record.

MAINTENANCE – The act of repair or replacement of a structure or piece of a structure to improve its condition. Maintenance shall be limited to two sections of fence, two rows of siding and two squares of roof shingles.

E. Land Use

ANCILLARY SALES – Sales to walk-in customers of businesses that are permitted or specially permitted in the O Office, M-L Manufacturing Limited or M Manufacturing zoning districts and of which do not exceed 15% of said business's total sales per year.