#2026-137
UDO Text Amendment – Various
Project Review for Planning and Zoning Commission

Meeting Date: August 19, 2026

Request: Amend the Unified Development Ordinance Article 2, 4, 9 and 10.

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Background:

- The Unified Development Ordinance was adopted in 2009. It is a living document that has been amended throughout the years.
- The following proposed amendments to the UDO reflect changes for best practices, new trends and to better improve the clarity of the UDO.

Recommendation:

The following revisions and additions are recommended based on recent discussions with the Planning and Zoning Commission, City Council and city staff's observances of common sections that need attention

Summary of the Changes

- Allow Spa uses in the Office zoning district. These are similar to salons and massage establishments that are allowed in the Office zoning district.
- Specify native species to account for half of the landscaping for a property. This is to promote native plantings and meet a goal of the City to be more sustainable.
- Seat walls taller than 18 inches are required to have a break. The clarification defines what the break would be (five feet).
- Remove vegetation from the definition of a fence.
- Add the automatic continuation of a public hearing when there is a lack of quorum.
- Clarifying the regulations for Art Murals and establishing a grant program.

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ARTICLE 2 – Add Spa as a permitted use to the Office zoning district. Similar uses are permitted in the office zoning district such as barber shops, beauty salons, nail salons and tanning salons. Massage establishments are permitted by a limited use permit.

ARTICLE 2-300

P = Permitted Use L = Limited Use Permit S = Special Use Permit

		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
Personal and Laundry Services	Spa									**P**	P	P	P				

LANDSCAPE DESIGN GUIDELINES – An addition to define native species to encourage more sustainable landscape designs. The proposed language requires 50% of new planting be native species. Article 4-400D.1.h shall be added as follows:

D. Design Guidelines.
1. General landscape design principles
h. Native species shall be selected in appropriate locations across the site.
i. At least 50% of trees selected shall be native species such as White Oak, Bur Oak, Northern Red Oak, Shagbark Hickory, Sugar Maple, Eastern Redbud, Serviceberry, American Hornbeam, Eastern White Pine, Eastern Redcedar, Northern White Cedar or other species approved by city staff.
ii. At least 50% of the shrubs selected shall be native species such as Dogwood, Chokeberry, Ninebark, Viburnum, Hydrangea, Spicebush or other species approved by city staff.

ACCESSORY STRUCTURES – Clarify that seat walls must have a five-foot break around a patio area. The patio cannot be completely surrounded. In addition, the UDO is conflicting on if landscaping is considered a fence or accessory structure. Based on a review of other communities and past requirements of the City, it is recommended to clarify that landscaping and hedges are not a fence or accessory structure. Article 4-600C, Article 4-600E and 10-200A are to be amended as follows:

C. Permitted accessory structures.
1. All Residential uses: Permitted accessory structures for residential uses include, but are not limited to: detached garages; decks; gazebos; private greenhouses; garden houses; sheds or buildings for domestic storage; children's play houses; play equipment (including, but not limited to, swing set, trampoline, basketball hoop, treehouses, etc.); fences **and** walls, ~~hedges~~ (in compliance with Section 4-700, Fences, walls and screening); flagpoles; swimming pools; antenna or satellite dish (smaller than 39 inches in diameter); signs (in compliance with Section 4-1000, Signs); mailboxes; off-street parking areas for multifamily developments; waste disposal containers for multifamily

developments (screened from public view, in compliance with Section 4-700, Fences, walls and screening); public utility equipment and any supporting structures; and other structures meeting the definition of an accessory use or structure. Additionally, structures used for water-related activities, including boat docks, boathouses, sea walls and similar structures, are permitted accessory structures for properties that front on Crystal Lake.
2. Nonresidential uses: Permitted accessory structures for nonresidential uses include but are not limited to: detached garages; off-street parking and loading facilities; storage buildings for merchandise, stock or records as part of a principal use; process, production, or maintenance facilities; guardhouses for industrial uses; rail spur lines or rail loading docks for industrial uses; signs (in compliance with Section 4-1000, Signs); waste disposal containers (screened from public view, in compliance with Section 4-700, Fences, walls and screening); fences **and** walls, ~~hedges~~ (in compliance with Section 4-700, Fences, walls and screening); public utility equipment and any supporting structures; and other uses and structures meeting the definition of an accessory use or structure.

ARTICLE 4-600 Accessory structures and uses.

E. Location of detached accessory structures.

1.b. Fences~~,~~ **and** walls~~, and hedges~~ provided they meet the requirements of Section 4-700, Fences, walls and screening.

2.a. (ii) B. Detached flatwork, such as patios and decks not more than 12 inches above the ground (Any seat walls around the patio or deck can be no taller than 18 inches in height. A continuous wall around the patio or deck is not considered a seat wall. **There must be a five-foot break every five feet.)**

2.a.(iii) C. Fences~~,~~ **and** walls~~, and hedges~~, provided they meet the requirements of Section 4-700 Fences, Walls, and Screening.

2.b.(ii) E. Fences~~,~~ **and** walls~~, and hedges~~ (in compliance with Section 4-700, Fences, walls and screening).

ARTICLE 10 Definitions

10-200 A General Definitions

Fences, Walls and Screening, Fence – Any barrier structure, not part of a building or natural screening which is used as a boundary or as a means of protection, confinement, or screening. A fence may include manufactured materials such as, but not limited to ~~vegetation or~~ wire mesh, chain link, wood, masonry, **vinyl,** or stone.

ART MURALS – There was a recent addition to the UDO to allow for art murals that are not signage to go through an approval process and distinguish murals separately from wall signage. This proposal was a result of the City Council's direction to distinguish murals and signs separately. Following the adoption, city staff noted that the language should be amended to allow for a grant program and to clarify limitations on front facades. Murals going through the grant program would be subject to additional review standards. Section 2-400C. 81. Art Murals would be amended as follows:

81. Art Murals. Art Murals**, which are separate and distinct from Signs,** must comply with the following standards, ~~which are separate and distinct from Signs~~.

b. *Application Process.*

i. No art mural installation may commence without first obtaining approval as provided in this Subsection **C.81**. **Applications that do not meet all of the general standards must be reviewed as a special use. Applications which are also seeking City Art Mural (CAM) program funds will be required to meet additional standards as described in the CAM program.** Art mural applications shall be submitted to the Community Development Department. Upon determining that the application submittal is complete, and that any proposed structural elements comply with the City's building code, the application submittal shall be distributed to the Public Arts Commission, and a public meeting shall be scheduled before the Public Arts Commission to consider the application.

c. *Recommendations.* Within 45 days of conducting the public meeting, excluding any continuances requested by the applicant, the Public Arts Commission shall **prepare** ~~forward~~ its report and recommendation as to whether the submittal by the applicant complies with **all of** the standards set forth in this Subsection **C.81**. **If the recommendation of the Public Arts Commission is that the submittal by the applicant complies with all such standards, the report and recommendation shall be forwarded to the City Council. If the recommendation of the Public Arts Commission is that the submittal by the applicant does not comply with all standards, the report and recommendation shall be forwarded to the Planning and Zoning Commission to conduct a public hearing for a Special Use Permit. If CAM funds are being requested, the Commission shall also provide a recommendation for the petitioner's compliance with CAM guidelines.** Failure of the Public Arts Commission to forward its report within such time as provided in this paragraph shall be deemed a negative recommendation by the Public Arts Commission.

d. *Action by City Council*. Following receipt of the report and recommendation of the Public Arts Commission **for a Limited Use Permit, or in the case of a recommendation regarding a Special Use Permit from the Planning and Zoning Commission**, the City Council **will** ~~may~~ determine ~~whether the general standards of this Subsection **C.81** have been met.~~ if all applicable standards have been met and vote to approve or deny the application ~~If it determines that such standards have been met, it may vote to approve the application and a limited use permit for the art mural shall be issued. If the City Council determines that such standards have not been met it may~~

~~either vote to deny the application or request the applicant revise the application submittal and reappear before the Council.~~ **If the City Council determines that such standards have not been met it may either vote to deny the application or request the applicant revise the application submittal and reappear before the Council.** When a motion to recommend denial of an application for an Art Mural is approved by 2/3 of all Public Arts Commission Members then holding office, or such motion to recommend denial is approved unanimously by all members present, such application shall not be approved by the Mayor and City Council except by a favorable vote of 2/3 of all of the Corporate authorities then holding office.

e. *Application Submittal.* The following information shall be submitted as part of a permit application:
   (i) A completed Art Mural application form (provided by the Community Development Department).
   (ii) A completed CAM funds application, if applicable.
   (iii)~~(ii)~~ Photos or renderings of the structure upon which the Art Mural will be placed, including each perspective from which the Art Mural will be visible by the public, showing a rendering or outline of the Art Mural.
   (iv)~~(iii)~~ A rendering of the Art Mural—in final design or in concept—with an artist's statement on the work and its title, if applicable.
   (v)~~(iv)~~ A description of the Art Mural, including its dimensions, medium (painted, mosaic, etc.), anticipated lifespan, and a maintenance schedule. Also include a description of the building or structure upon which it will be located, noting its material, construction, and its suitability to hold the Art Mural.
   (vi)~~(v)~~ Written approval to by the owner allowing the applicant to place the Art Mural upon the building or structure.
   (vii)~~(vi)~~ With respect to Art Murals placed upon public property, a written release signed by the Art Mural's artist, stating that they retain no intellectual property interests in the Art Mural, waiving any rights they may have over the Art Mural, and attesting that the Art Mural may be removed or destroyed without their permission.

f. *General standards.* No Art Mural may be installed in the City except in accordance with the provisions of this Section, including the following general standards:
   (i) No Art Mural may be installed within (i) any residential zoning district, or (ii) on multi-family buildings with fewer than five residential dwellings that are located in any zoning district; provided, however, that Art Murals may be installed in any Zoning District on privately-owned railroad underpasses or on buildings or structures owned by a governmental body and used for government purposes.
   (ii) No Art Mural may be installed on a designated Historic Landmark property without obtaining a Certificate of Appropriateness.
   (iii) No Art Mural may be installed on the front façade of a building or a facade on which the primary entrance is located.

(iv)~~(iii)~~ Projection. No portion of an Art Mural, including any supporting frames, mounting hardware, or protective coatings, shall project more than six (6) inches from the vertical plane of the exterior wall surface upon which it is installed.

(v)~~ (iv)~~ Vertical Limitation (Height). An Art Mural shall be contained entirely within the vertical limits of the wall. No part of an Art Mural shall extend above the roofline of the structure on which it is placed, defined as: 1) The top of the parapet or coping on a flat-roofed building; or 2) The eave line (where the roof meets the wall) on a building **with a pitched roof, mansard roof, or faux mansard roof.**

(vi)~~ (v)~~ Horizontal Limitation (Width). An Art Mural shall be contained entirely within the horizontal limits of the wall on which it is installed. An Art Mural shall not extend beyond the vertical edges (lateral termini) of the specific wall segment upon which it is installed

(vii)~~ (vi)~~ No Art Mural may be installed in a manner that would result in a property becoming out of compliance with the provisions of this Ordinance.

(viii)~~ (vii)~~ No Art Mural may, through the use of moving structural elements, flashing or sequential lights, lighting elements, or other automated method, contain movement, the appearance of movement, or change of mural image or message.

(ix)~~ (viii)~~ All Art Murals must be installed and maintained in compliance with all applicable regulations of the City Code, including the provisions of the City's building code, as determined applicable by the Director of Community Development to ensure structural safety.

(x)~~ (ix)~~ Content restrictions.

(1) No Art Mural shall be permitted which, taken as a whole, predominantly appeals to the prurient interest in sex, which~~,~~ portrays sexual conduct in a patently offensive way, and which, taken as a whole, lacks serious literary or artistic political or scientific value.

(2) No Art Mural shall be permitted that serves the purpose of being a Sign, as defined in this Ordinance.

(xi) For Art Mural projects seeking City Art Mural (CAM) funds, additional content standards apply, as specified in the guidelines for the CAM fund program.

CONTINUATION DUE TO LACK OF QUORUM – Recently there was a lack of quorum at the Planning and Zoning Commission meeting. Legal Counsel recommended adding language to the UDO to continue items. Article 9-100C.10 shall be added as follows:

C. 10. Continuation for Lack of Quorum: If a public hearing has been duly noticed and fewer than a quorum of members are present at the time set for the hearing, no business shall be

conducted and no official action shall be taken. In such event, the public hearing shall, by operation of this Article, automatically be continued to the next regular meeting of the Planning and Zoning Commission. The Chairperson, or in the Chairperson's absence, the senior most member of the Planning and Zoning Commission present shall publicly announce the continuation for the convenience of those present. Such announcement shall be ministerial only and shall not constitute official action by the Planning and Zoning Commission.