CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
June 3, 2014
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Proclamation – Crystal Lake Public Library Summer Reading Program**

5. **Approval of Minutes – May 20, 2014 Regular City Council Meeting**

6. **Accounts Payable**

7. **Public Presentation**
   The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.

8. **Mayor's Report**

9. **Council Reports**

10. **Consent Agenda**
    a. **Adoption of the June 2014 Prevailing Wage Resolution**

11. **New Retailer Job Creation and Investment Program Matching Grant application request – Xtreme Nutrition & Smoothies, 6312 Northwest Highway, Unit 220.**

12. **Dark Heart Tattoo, 448 W. Terra Cotta Avenue – Special Use Permit to allow a tattoo parlor.**

13. **Heritage Title Company, 4405 Three Oaks Road – Final Planned Unit Development Amendment to allow the expansion of the parking lot; and Variations from the requirement that a landscaping island must be provided at both ends of parking rows, and perimeters of all parking lots and interior parking lot islands shall be curbed.**

14. **Resolution authorizing execution of the Martin Chevrolet enhanced sales tax incentive agreement for 5220 Northwest Highway.**

15. **Rejection of all 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation bids from the May 7, 2014 bid opening; bid award for the 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation from the May 27, 2014 bid opening; and resolution authorizing execution of a contract for the 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation, and allowing for a 10 percent contingency.**

16. **Bid award and resolution authorizing execution of a contract for the 2014 Street Resurfacing Program, and allowing for a 10% contingency.**

17. Resolution authorizing execution of an agreement for the purchase of one (1) Ford F350 Pickup and one (1) Ford F550 Chassis Cab through the State of Illinois Joint Purchasing Program.

18. Resolution authorizing execution of an agreement for the purchase of one (1) Ford F150 4x4 Pickup through the Suburban Purchasing Cooperative Program.

19. Bid award and resolution authorizing execution of a contract for Wastewater Treatment Plant #3 Primary Clarifier Rehabilitation with a 10% contingency for unforeseen expenses.

20. Bid award and resolution authorizing execution of an agreement for the Water Treatment Plant #3 roof retrofit, and allowing for a 10% contingency for unforeseen expenses.

21. Proposal award and resolution authorizing execution of an agreement with T.P.I. Building Code Consultants for Building Division Services.

22. City Code Amendment removing contractor bond requirements for Building Permits.

23. Building Permit Fee Ordinance Revision.

24. Ordinance amending Chapter 33 of the City Code, regarding the divisions and departments of the City of Crystal Lake; and ordinance amending the City Code pertaining to the creation of the Community Development Department.

25. Unified Development Ordinance Text Amendment for various provisions of the Unified Development Ordinance.

26. Resolution approving the proposed Centennial Closing Festival Budget and approving the street closure of South Williams Street between Brink Street and East Crystal Lake Avenue from noon to 7:00 p.m.

27. Council Inquiries and Requests

28. Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.

29. Reconvene to Regular Session

30. Adjourn

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Brad Mitchell, Assistant to the City Manager, at 815-459-2020, at least 24 hours prior to the meeting, if possible, to make arrangements.

Agenda Item No: 10a

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Prevailing Wage Resolution

Staff Recommendation: Motion to adopt the June 2014 Prevailing Wage Resolution.

Staff Contact: Ann Everhart, Director of Human Resources

Background:

Each year during the month of June, the City must obtain a copy of the prevailing wages from the Illinois Department of Labor and adopt a resolution requiring that the prevailing rates be paid. Attached is a copy of the Resolution, and the McHenry County Prevailing Wages for June 2014.

Votes Required to Pass:

Simple majority vote of the City Council.

DRAFT

The City of Crystal Lake Illinois

A RESOLUTION ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND OTHER WORKERS ENGAGED IN THE CONSTRUCTION OF PUBLIC WORKS UNDER THE JURISDICTION OF THE CITY OF CRYSTAL LAKE.

WHEREAS, the State of Illinois has enacted "An ACT regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works." Approved June 26, 1941, codified as amended, 820 ILCS 130/1. (1993), formerly Ill. Rev. Stat., Ch. 48, par. 39s-1 et seq.; and

WHEREAS, the aforesaid ACT requires that the CITY OF CRYSTAL LAKE, McHenry County, investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of McHenry County employed in performing the construction of public works for said CITY OF CRYSTAL LAKE.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE:

SECTION 1: To the extent and as required by "An ACT regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of the CITY OF CRYSTAL LAKE is hereby ascertained to be the same as the prevailing rate of wages for construction work in the McHenry County area as determined by the Department of Labor of the State of Illinois as of June 2014, a copy of that determination being attached hereto and incorporated herein by reference. As required by said ACT, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the CITY OF CRYSTAL LAKE. The definition of any terms appearing in this Resolution which are also used in the aforesaid ACT shall be the same as in said ACT.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the CITY OF CRYSTAL LAKE to the extent required by the aforesaid ACT.

DRAFT

SECTION 3: The CITY OF CRYSTAL LAKE City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the CITY OF CRYSTAL LAKE this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

SECTION 4: The CITY OF CRYSTAL LAKE City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The CITY OF CRYSTAL LAKE City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The CITY OF CRYSTAL LAKE City Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Resolution, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED this 3rd day of June 2014.

APPROVED:

_____
MAYOR

(SEAL)

ATTEST:

_____
CITY CLERK

PASSED:

APPROVED:

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: New Retailer Job Creation and Investment Program Matching Grant application request #2014-23-01 for Xtreme Nutrition & Smoothies, at 6312 Northwest Highway, Unit 220, to request $10,000 in matching grant funds.

Josh Underwood, Xtreme Nutrition & Smoothies

Recommendations: City Council's discretion:

1. Motion to approve the Grant Agreement with Xtreme Nutrition & Smoothies, and to award $10,000 in grant funding for the new retail business's furniture, fixtures and equipment and employees;
2. Motion to deny the grant application request.

Staff Contact: James Richter II, Planning and Economic Development Manager

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Background:

- On November 1, 2011, the City Council approved the Retailer and Manufacturer Job Creation and Investment Programs, which provide grant funding to new and existing retailers who occupy vacant space and hire new full-time or part-time employees and/or install eligible furniture, fixtures, and equipment.
- In March of 2013, several changes were made to the grant program. The Retailer Job Creation and Investment program allows for grant funds to be disbursed to new businesses that purchase furniture, fixtures and equipment and hire new full-time and part-time employees.

Key Factors:

XTREME NUTRITION & SMOOTHIES (6312 Northwest Highway)

Xtreme Nutrition & Smoothies plans to locate adjacent to Charter Fitness and cater to people interested in their health and lifestyle. They provide some retail merchandise, but primarily nutritional supplements and will make fresh smoothies on site. Xtreme Nutrition & Smoothies plans to spend $17,000 on new furniture, fixtures and equipment (FFE) and plans to hire 1 full-time employee. In accordance with the matching grant program guidelines, Xtreme Nutrition & Smoothies is eligible for a $10,000 grant award.

In order to objectively analyze the applications for funding, eligibility criteria have been established in the Ordinance approving this program. The list below outlines the evaluation of the applicant's request in relation to our eligibility criteria:

1. The program is open to any new sales-tax generating business that will occupy vacant retail space or a building or that will construct a new building for its business.
   ☒ *Meets* ☐ *Does not meet*

2. Applicant must meet a minimum annual taxable sales threshold of at least $100,000.
   ☒ *Meets* ☐ *Does not meet*

3. Applicant's business must provide a stocked retail showroom for retail products.
   ☒ *Meets* ☐ *Does not meet*

4. Applicant must provide written proof of employment recruitment and of FFE costs.
   ☒ *Meets* ☐ *Does not meet*

5. Applicant must file an application for grant funding prior to commencing improvements.
   ☒ *Meets* ☐ *Does not meet*

6. Grant recipient may re-apply after 5 years from the date of recipient's previous award.
   ☒ *Meets* ☐ *Does not meet*

7. Eligible FFE includes, but is not limited to, shelving, racks, tables, chairs, furniture, point-of-sale systems, fixed computer equipment used in business operation, televisions located in dining rooms or showrooms, office furniture and appliances.
   ☒ *Meets* ☐ *Does not meet*

The applicant's request has been evaluated based on the above eligibility criteria and their planned purchase of FFE and the new employees. The current application would meet 7 of the 7 eligibility criteria.

SUMMARY OF CURRENT REQUESTS

The chart below provides a complete summary of the grant funding requests. For the 2014-2015 Fiscal Year, there would be $80,000 budgeted for reimbursements to awarded recipients. The job creation and investment programs will share the same funding source ($80,000).

2013-2014 Matching Grant Summary

File #	Applicant Name / Business name	Address	New Retailer Programs	Existing Retailer Programs	Manufacturer Programs	Total Requested	Amount Approved
2013-17-09	1776 Restaurant			$5,000.00		$5,000.00	$5,000.00
2013-17-10	Which Wich	5899 NW Hwy	$10,000.00			$10,000.00	$10,000.00
2014-23-01	Xtreme Nutrition	6312 Nw Hwy, 220	$10,000.00			$10,000.00	
	Totals		***$20,000.00***	***$5000.00***	***$0,000.00***	***$25,000.00***	***$15,000.00***

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is hereby authorized and directed to execute an agreement with Josh Underwood of Xtreme Nutrition & Smoothies, for a Retailer Job Creation & Investment Matching Grant in an amount not to exceed $10,000.

DATED this ____ day of _____, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED:
APPROVED:

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-21 Dark Heart Tattoo, 448 W. Terra Cotta Ave.

Special Use Permit to allow a tattoo parlor

Joseph Beatty, 4405 Three Oaks Road, Crystal Lake, petitioner

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Special Use Permit for a tattoo parlor for the property at 448 W. Terra Cotta Ave.

Staff Contact: James Richter II, Planning and Economic Development Manager

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Background:

- Location: The proposed tattoo parlor will be located at 448 W. Terra Cotta Ave.
- Co-tenants: The other tenant at this location is Audibel - which provides hearing related services. This suite in question was previously occupied by McHenry County Living Magazine.
- Request: Dark Heart Tattoo will occupy approximately 1,400 square feet. No exterior changes are being proposed. A tattoo parlor requires a Special Use Permit.

Land Use Analysis:

- Land Use: The site is currently zoned B-2 PUD General Commercial. The Unified Development Ordinance lists a tattoo parlor as a Special Use in the B-2 zoning district. Based on their unique characteristics, Special Uses require special consideration of their impacts on surrounding properties and the orderly development of the community.
- Parking: There are a total of 15 parking spaces on-site. A tattoo parlor requires either 1 parking space per 300 gross square feet or 2 parking spaces per tattoo /piercing artist station. The petitioner has indicated that there will be a maximum of 2 tattoo artists. This use will therefore be required to have 4 to 5 parking spaces. It appears that there is adequate parking for this use.

***PZC* Highlights**

- At the Planning and Zoning Commission meeting, there was no concern with the proposed request. The Commission felt that the petitioner met the Findings of Fact and recommended **approval (7-0)** of the request.

The following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application, submitted 4-21-2014
   B. Floor Plan, Beatty, submitted 4-21-2014

2. This Special Use Permit is granted specifically for Dark Art Tattoo Inc. Any increase in the intensity of the use will require an amendment of this SUP.

3. If the use is not established, this Special Use Permit shall terminate one year from the date of approval.

4. The petitioner shall address all of the review comments of the Fire Prevention Bureau and Community Development, Police, and Public Works Departments.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 448 W. TERRA COTTA AVENUE

WHEREAS, pursuant to the terms of a Petition (File #2014-21) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a tattoo studio for the property located at 448 W. Terra Cotta Avenue; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued as requested in said Petition.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit be issued to allow a tattoo studio for the property commonly known as 448 W. Terra Cotta Avenue (14-31-276-038), Crystal Lake, Illinois.

Section II: Said Special Use is issued with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application, submitted 4-21-2014
   B. Floor Plan, Beatty, submitted 4-21-2014

2. This Special Use Permit is granted specifically for Dark Art Tattoo Inc. Any increase in the intensity of the use will require an amendment of this SUP.

3. If the use is not established, this Special Use Permit shall terminate one year from the date of approval.

4. The petitioner shall address all of the review comments of the Community Development, Fire Prevention Bureau, Police, and Public Works Departments.

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DRAFT

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

_____
MAYOR

ATTEST:

_____
CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-19 Heritage Title Company, 4405 Three Oaks Road

1) Final PUD Amendment to allow the expansion of the parking lot;
2) Variations from the requirement that:
   a. A landscaping island must be provided at both ends of parking rows;
   b. Perimeters of all parking lots and interior parking lot islands shall be curbed.

Fred Roediger, 4405 Three Oaks Road, Crystal Lake, petitioner

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final Planned Unit Development and variations for the property at 4405 Three Oaks Road.

Staff Contact: James Richter II, Planning and Economic Development Manager

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Background:

- Location: South side of Three Oaks Road, west of IL Route 31
- Zoning: "O-PUD" Office PUD
- History: The property was annexed into the City in 1990.
- Request: Final Planned Unit Development Amendment to expand the existing parking lot and variations from the design and development standards of the UDO

Land Use Analysis:

- Existing Conditions: The property at 4405 Three Oaks Road is improved with an office building and parking. There are 27 parking spaces currently on site. There is abundant mature vegetation on the site.
- Details: The petitioner would like to add 17 parking spaces. This will be accomplished by restriping the existing parking area and adding two rows of parking, one to the north and one to the west of the existing parking. The property line extends to the center of Three Oaks

Road; however, with the (addition of the) new parking areas, the parking lot will be 20 feet from the right-of-way edge. The existing landscaping along the edges of the parking lot meets the requirements of the UDO for parking lot landscaping. The landscaping will be relocated and will continue to meet the parking lot landscaping requirements. Some of the parking lot lighting will be relocated to accommodate the new parking areas. The lighting standards used at this location are 35-feet tall - the UDO permits 25-foot-tall lighting standards for office uses. However, the petitioner will be relocating the existing standards, not adding new ones.

- Variations: Per Article 4-200, Off-Street Parking and Loading of the UDO, any expansion of a parking area that increases the number of spaces by more than 10, requires that the parking lot be brought into compliance with the provisions of the UDO for number of spaces, setbacks, curbing, landscaping, accessibility and wheel stops.
  - The existing parking lot is not curbed. The petitioner is seeking a variation from Section 4-200 C 8 of the UDO that requires that perimeters of all parking lots and interior parking lot islands be curbed.
  - Per Section 4-400 F 1 of the UDO, landscaped parking islands are required at both ends of parking rows. As proposed, islands are missing in several locations. However, the petitioner has designed the parking lot to prevent the removal of the mature oak trees.

***PZC* Highlights**

- At the Planning and Zoning Commission meeting, some of the Commissioners had concerns with the request. Some of the Commission felt that because the location of the parking lot was very close to the trees, the construction would negatively impact the trees and they could possibly die. Other concerns expressed were the setback of the proposed parking from Three Oaks Road as well as locating the additional parking behind the existing building.
- After discussion, particularly regarding preserving the trees on site, the PZC felt that the petitioner did meet the Findings of Fact and recommended **approval (6-1)** of the request.

The following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, submitted 4-17-2014
   B. Plan Set, RST Engineering, dated 4-17-2014

2. The following variations are hereby granted:
   A. From the requirement that landscaping islands must be provided at both ends of parking rows;
   B. From the requirement that the perimeters of all parking lots and interior parking lot islands shall be curbed.

3. Trees shall be protected during construction by tree protection devices around the critical root zone of each tree to prevent compaction of soil and other damage to the tree by equipment or materials. Protective fencing or other physical barriers are required and must be in place prior to beginning construction. The fencing or other physical barrier must remain in place during the entire construction period.

4. Construction pruning and root pruning of trees in close proximity to the construction area and directly impacted by construction may be required for preservation of existing trees.

5. Other than the standard height, parking lot lighting must comply with the UDO. Furnish catalog cuts ~~**and photometric details.**~~ **(Amended by PZC)**

6. Accessible parking spaces are required to be located on the shortest route of travel to an accessible entrance. The proposed accessible parking space (farthest west) does not appear to be closest to the front entrance and will need to be relocated to be compliant with the Illinois Accessibility Code.

7. The petitioner shall meet all the requirements of the Community Development, Fire Rescue, and Police Departments.

8. The petitioner shall provide a tree preservation plan to be reviewed by a certified arborist and ensure that appropriate tree preservation measures are in place prior to construction starting. (Amended by PZC)

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD AND VARIATIONS
FOR 4405 THREE OAKS ROAD

WHEREAS, pursuant to the terms of the Petition (File #2014-19) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow the expansion of the parking lot; and Variations from the requirement that: A. A landscaping island must be provided at both ends of parking rows; and B. Perimeters of all parking lots and interior parking lot islands shall be curbed; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development and Variations be granted as requested in said Petition,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That a Final PUD Amendment be granted to allow the expansion of the parking lot; and Variations from the requirement that: A. A landscaping island must be provided at both ends of parking rows; and B. Perimeters of all parking lots and interior parking lot islands shall be curbed for the property located at 4405 Three Oaks Road (19-10-400-003), Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment and Variations be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, submitted 4-17-2014
   B. Plan Set, RST Engineering, dated 4-17-2014

2. The following variations are hereby granted:
   A. From the requirement that landscaping islands must be provided at both ends of parking rows;
   B. From the requirement that the perimeters of all parking lots and interior parking lot islands shall be curbed.

3. Trees shall be protected during construction by tree protection devices around the critical root zone of each tree to prevent compaction of soil and other damage to the tree by equipment or materials. Protective fencing or other physical barriers are required and must be in place prior to beginning construction. The fencing or other physical barrier must remain in place during the entire construction period.

4. Construction pruning and root pruning of trees in close proximity to the construction area and directly impacted by construction may be required for preservation of existing trees.

5. Other than the standard height, parking lot lighting must comply with the UDO. Furnish catalog cuts.

6. Accessible parking spaces are required to be located on the shortest route of travel to an accessible entrance. The proposed accessible parking space (farthest West) does not appear to be closest to the front entrance and will need to be relocated to be complaint with the Illinois Accessibility Code.

7. The petitioner shall meet all the requirements of the Community Development Department, Fire Rescue, and Police Departments.

8. The petitioner shall provide a tree preservation plan to be reviewed by a certified arborist and ensure that appropriate tree preservation measures are in place prior to construction starting.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

_____
MAYOR

ATTEST:

_____
CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal

Lake.

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Martin Chevrolet Sales Tax Incentive Agreement.

Recommendation: Motion to approve a resolution authorizing the Mayor to sign the Martin Chevrolet enhanced sales tax incentive agreement for 5220 Northwest Highway.

Staff Contact: Gary J. Mayerhofer, City Manager
Michelle Rentzsch, Director of Community Development

Background: The Martin Chevrolet dealership located at 5220 Northwest Highway has recently been purchased by Mr. Todd Martin, and he plans a major renovation of the dealership to comply with General Motors's requirements for a Chevrolet dealership, which would update the look of the facilities and enhance the service experience for his customers. In order to better meet the needs of their existing customers and provide a nicer environment to attract future customers, Martin Chevrolet is planning a complete redevelopment of the existing dealership.

In keeping with the City's Enhanced Sales Tax Incentive Program (ESTIP), an incentive agreement is proposed that would aid in ensuring this expansion takes place. The purpose of the City's Enhanced Sales Tax Incentive Program is to:

- Encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses within the City, thereby stimulating the economy within the City;
- Provide employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City;
- Further increase the sales taxes collected by the City, which increased sales tax collections will enable the City to provide expanded and improved municipal services to and for the benefit of the residents of the City;
- Encourage the construction of public improvements by private owners without debt obligations being incurred by the City; and
- Allow applicants an opportunity to improve properties which generate sales activities, which improvements make those properties more competitive in the marketplace and further provide to applicants additional contingent sources of revenues for upgrading said properties.

Martin Chevrolet is planning phased renovations to the property which include additions to the existing sales building on the south and west sides, connecting the sales and the service buildings, addition of a car wash on the west side of the service building, as well as a new entry monument and flag poles. The site layout would basically stay the same. The existing building would be refaced with a new facade and an addition on the south elevation. An addition to the existing sales building is also proposed on the west side. An addition along the west side of the service building is proposed to accommodate the car wash. All these improvements along with some additional signage brings a construction cost estimate total over three phases to $3,107,723, with the bulk of the project being completed in the first phase.

The proposed sales tax agreement would provide the following stipulations:

- ✓ The new Chevrolet dealership would be constructed, meeting all the City's codes and ordinances, as approved by the City.
- ✓ After its completion, the City would share the sales tax revenue from this property on a 50/50 basis with its owner. The refund is based on the amount of sales tax that is generated by this dealership.
- ✓ The refund schedule would continue for ten years or until up to one million dollars has been rebated, whichever occurs first.
- ✓ If, for some reason, the dealership were to close or be abandoned, a refund payment schedule has been included that would require repayment of the reimbursement payments that had been made to date, based on a sliding scale.
- ✓ The agreement allows for another Chevrolet or a new franchised motor vehicle dealership (a flag currently not operating in the City) to assume the benefits of the proposed incentive agreement, assuming that the new dealership operates at a level that is comparable to the existing Chevrolet dealership.
- ✓ This agreement also contains a non-compete provision, not allowing Martin Chevrolet to open a competing Chevrolet dealership within 10 air miles during the life of the agreement and also not allowing a competing Martin Chevrolet dealership within 10 air miles for 3 years after the termination of this agreement or for nine years after the initial payment, whichever occurs first, unless the total amount of the refund payments have been paid back to the City.

The proposed agreement has been reviewed by legal counsel and is in an acceptable format for presentation to the City Council.

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the Mayor is authorized to execute the Martin Chevrolet enhanced sales tax incentive agreement for 5220 Northwest Highway.

DATED this 3rd day of June, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation

Staff Recommendation:

1. Motion to reject all bids from the May 7, 2014 bid opening for the 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation; and,

2. Motion to award the 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation bid on May 27, 2014 to the lowest responsive and responsible bidder, Chadwick Contracting, in the bid amount of $287,092.60, and adopt a resolution authorizing the City Manager to execute a contract with Chadwick Contracting Company, allowing for a 10 percent contingency.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

On May 7, 2014, the City opened and publicly read the bids received for the 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation. The City received two bids and the results are tabulated below.

Firm	*Amount of Bid*
Copenhaver Construction, Inc. X Gilberts, IL	$273,830.00
Alliance Contractors, Inc. Woodstock, IL	$391,479.50

X Bid withdrawn after bid opening

After the bid opening, Copenhaver Construction notified the City that it was withdrawing its bid. Copenhaver Construction stated they underbid one of the items, which would result in them doing the work at a significant loss. This left only one bid. The City then decided to rebid the

project in an effort to get more bidders. The City has liquidated the bid bond that Copenhaver Construction provided.

On May 27, 2014, the City opened and publicly read the re-bids received for the 2014 Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation. The City received four bids and the results are tabulated below.

Firm	*Amount of Bid*[2]
Chadwick Contracting Company[1] Lake in the Hills, IL	$287,092.60
Bergquist & Zimmerman Construction, Inc. Crystal Lake, IL	$311,003.90
Copenhaver Construction, Inc. Gilberts, IL	$366,282.00
Alliance Contractors, Inc. Woodstock, IL	$412,596.50

[1] Indicates Recommended Lowest Responsive and Responsible Bidder.
[2] Bids as Calculated With Adjusted Quantities

This program will remove and replace curb and gutter along the streets in the 2014 Street Resurfacing Program which are in need of repair. Additionally, the City will be implementing Federal American Disability Act requirements regarding approach ramps to crosswalks. There are very specific requirements that must be met with regards to grades and cross slopes.

Traditionally, the City has included any concrete work as part of the annual street resurfacing program. The resurfacing contractor would use a concrete subcontractor to complete this work. However, during recent resurfacing programs, City staff has been unhappy with the quality of work and responsiveness of the various concrete subcontractors.

Due to advantageous prices for both the resurfacing program and this program, increased quantities to do additional repairs beyond what was included in the original bid have been added.

By having the concrete work performed as a separate contract from the annual street resurfacing program, the City is able to ensure a qualified contractor performs the work. The City has not used Chadwick Contracting before. The Engineering Division contacted the references provided in the bid and they all reported being satisfied working with Chadwick Contracting.

Votes Required to Pass:

Simple majority

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Chadwick Contracting Company, for the Curb & Gutter Removal/Replacement and Sidewalk Pedestrian Ramp (ADA) Installation in the amount of $287,092.60. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this third day of June, 2014.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

_____
City Clerk

PASSED: June 3, 2014

APPROVED: June 3, 2014

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: 2014 Street Resurfacing Program Bid Award

Staff Recommendation: Motion to award the 2014 Street Resurfacing Program bid to the lowest responsive and responsible bidder, Geske and Sons, Inc., in the bid amount of $1,571,560.53, and adopt a resolution authorizing the City Manager to execute a contract with Geske and Sons, Inc., allowing for a 10 percent contingency.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

On May 7, 2014, the City opened and publicly read the bids received for the 2014 Street Resurfacing Program. The City received four bids and the results are tabulated below.

Firm	*Amount of Bid*[2]
Geske and Sons, Inc.[1] Crystal Lake, IL	$1,571,560.53
Arrow Road Construction Company Mt. Prospect, IL	$1,706,731.09
Plote Construction, Inc. Hoffman Estates, IL	$1,850,890.80
Peter Baker & Son Co. Lake Bluff, IL	$2,014,036.75

[1] Indicates Recommended Lowest Responsive and Responsible Bidder.
[2] Bids as Calculated With Adjusted Quantities

This year's annual street resurfacing program includes 31 locations around the City as part of the proposed FY 2014-2015 City Budget. The attached table lists the streets in this year's program. Geske and Sons has completed numerous paving projects in the City, and was the City's contractor for the 2008 Street Resurfacing Program.

Due to advantageous prices, City staff has increased quantities to resurface additional streets beyond what was included in the original bid. Specifications were mailed to various contractors and standard bid advertisement procedures were followed.

Votes Required to Pass:

Simple majority

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Geske and Sons, Inc., for the 2014 Street Resurfacing Program in the amount of $1,571,560.53. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this third day of June, 2014.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

_____
City Clerk

PASSED: June 3, 2014

APPROVED: June 3, 2014

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date:	June 3, 2014
Item:	Two (2) Ford Truck purchases – State of Illinois Joint Purchasing Program Contract #4017340
Staff Recommendation:	Motion to adopt a resolution authorizing the City Manager to execute an agreement with Bob Ridings Ford, in Taylorville, IL, for the purchase of one (1) Ford F350 Pickup and one (1) Ford F550 Chassis Cab in the amount of $67,623.00, through the State of Illinois Joint Purchasing Program.
Staff Contact:	Victor Ramirez P.E., Director of Public Works

Background:

The Public Works Department requested two (2) light and medium duty trucks for replacement in its fleet as part of the Fiscal Year 2014-2015 budget. The request included Streets Division Units #436, a 1999 Chevrolet K2500 4x4 which is proposed to be replaced with a Ford F350, and #432, a 2000 Ford F350 4x4 mini dump truck which is proposed to be replaced with a Ford F550. These trucks are utilized throughout the year for snow removal, landscaping, asphalt repair work, and many other various tasks.

The City is able to take advantage of the Illinois State Joint Purchasing Program. This program allows for joint purchasing members to combine purchasing power, which enables significant cost reductions on a number of items. All items that are bid follow the State public procurement statutes that the City follows for a competitive, sealed bidding process.

Recommendation:

After careful examination of vendor material provided from State Contract #4017340, it is the recommendation of the Public Works Department to purchase two Ford F-Series trucks for the total amount of $67,623.00 from Bob Ridings Ford, in Taylorville, IL, through the State of Illinois Joint Purchasing Program. Upon delivery, both trucks will be fully equipped trucks with plows.

Funds have been budgeted for this purchase.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Bob Ridings Ford (Taylorville, IL) for the purchase of one (1) Ford F350 Pickup and one (1) Ford F550 Chassis Cab in the amount of $67,623.00 through the State of Illinois Joint Purchasing Program. The funds to purchase these vehicles will be from the Fiscal Year 2014/2015 Budget.

DATED this 3rd day of June, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: June 3, 2014
APPROVED: June 3, 2014

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date:	June 3, 2014
Item:	Suburban Purchasing Cooperative Program Vehicle Purchase
Staff Recommendation:	Motion to adopt a resolution authorizing the City Manager to execute an agreement with Freeway Ford (Lyons, IL) for the purchase of one (1) Ford F150 4x4 Pickup in the amount of $25,610.00 through the Suburban Purchasing Cooperative Program.
Staff Contact:	Michelle Rentzsch, Director of Community Development Victor Ramirez, Director of Public Works

Background:

The Community Development Department requested approval for fleet vehicle replacement as part of the Fiscal Year 2014-2015 budget. As part of this request, a new Ford F150 4x4 Pickup would replace a 2001 Ford F250 4x4 Pickup. This vehicle has experienced severe paint deterioration and body rust, and will be declared surplus and sold at auction.

The City is eligible to participate in the Suburban Purchasing Cooperative Program through the Northwest Municipal Conference (NWMC). This program allows for combined purchasing power, which enables significant cost reductions on a number of items, including vehicles. All items that are bid follow the same public procurement statutes that the City follows for a competitive, sealed bidding process.

Recommendation:

It is the recommendation of the Public Works Fleet & Facility Services Division and the Community Development Department to purchase one (1) 2014 Ford F150 4x4 Pickup in the amount of $25,610.00 from Freeway Ford (Lyons, IL) through the Suburban Purchasing Cooperative Program, Contract #111.

Sufficient funds have been included in the approved Fiscal Year 2014/2015 budget for this purchase.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Freeway Ford (Lyons, IL) for the purchase of one (1) Ford F150 4x4 Pickup in the amount of $25,610.00. The funds to purchase this vehicle will be from the Fiscal Year 2014/2015 Budget.

DATED this 3rd day of June, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: June 3, 2014
APPROVED: June 3, 2014

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Wastewater Treatment Plant #3
Primary Clarifier Rehabilitation

Staff Recommendation: Motion to award the bid for Wastewater Treatment Plant #3 Primary Clarifier Rehabilitation to the lowest responsive, responsible bidder, Process Equipment Repair Services, Inc, and adopt a resolution authorizing the City Manager to execute a contract with Process Equipment Repair Services, Inc, in the amount of $275,400 with a 10% contingency for unforeseen expenses.

Staff Contact: Victor Ramirez, P.E., Director of Public Works

Background:

On May 22, 2014, the City publicly opened and read aloud the bids received for the rehabilitation of six primary clarifiers and two chlorine contact tanks as well as the replacement of the skimming troughs on the primary clarifiers. The following is a summary of the bids received:

Company	Total Bid Cost
√Process Equipment Repair Services, Inc West Bend, WI	$275,400.00
DPS Equipment Service Caledonia, IL	$318,450,00
Boller Construction Company, Inc. Waukegan, IL	$333,500.00
Marc Kresmery Construction, LLC Elgin, IL	$475,250.00

√ Indicates the lowest responsive and responsible bidder

The Primary Clarifiers and Chlorine Contact Tanks at Wastewater Treatment Plant #3 (Knaack Blvd.) are 20 years old and in need of rehabilitation work. The rehabilitation will include new flights, gears, chains, gearboxes, and associated equipment as well as any necessary

rehabilitation to the concrete structure. This work will bring the tank equipment back to original condition and should have a service life of approximately 15 to 20 years.

In addition, the steel skimming troughs on these vessels have severely corroded and been rendered ineffective or even inoperable. The troughs are used to remove solids, grease and skum that float to the top of the tanks. As part of this project, these skimming troughs will be removed and replaced.

Recommendation:

Staff has reviewed the bids received for completeness and accuracy in accordance with the Invitation to Bid document. The City has verified Process Equipment Repair Services, Inc references and has used this contractor on past projects. It is the recommendation of staff to award the bid for Wastewater Treatment Plant #3 Primary Clarifier and Chlorine Contact Tank Rehabilitation to Process Equipment Repair Services, Inc in the amount of $275,400.00 with a 10% contingency for unforeseen expenses.

Votes Required to Pass:

Simple majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Process Equipment Repair Services, Inc. for the Wastewater Treatment Plant #3 Primary Clarifier Rehabilitation in the amount of $275,400 with a 10% contingency for unforeseen expenses.

DATED this _____ day of _____, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____

Agenda Item No: 20

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Water Treatment Plant #3 Roof Retrofit

Staff Recommendation: Motion to award the bid for the Water Treatment Plant #3 roof retrofit to the lowest responsive and responsible bidder, Malcor Roofing, and adopt a Resolution authorizing the City Manager to execute an agreement with Malcor Roofing for the amount of $112,495.00 allowing for a 10% contingency for unforeseen expenses.

Staff Contact: Victor Ramirez, Director of Public Works

Background:

On May 21, 2014, the City opened and publicly read aloud bids for the Water Treatment Plant #3 roof retrofit. Below is a tabulation of the bids:

Company	Total Price w/Alternates
√ Malcor Roofing Montgomery, IL	$112,495.00
McDermaid Roofing Rockford, IL	$141,840.00
A-1 Roofing Elk Grove Village, IL	$171,150.00
G.E. Riddiford Co. Arlington Heights, IL	$181,000.00
DCG Roofing Des Plaines, IL	$185,000.00
L. Marshall Inc. Glenview, IL	$216,000.00

√ Indicates lowest responsive and responsible bidder

Water Treatment Plant #3 is located at 850 Virginia Road (behind Nick's Pizza). The existing roof was installed in two sections, the first over 40 years ago and the second 20 years ago. Both

of the roof sections have severely deteriorated and leak during rain events. Attempts have been made throughout the last several years to repair the roof to ensure its longevity; however, at this time the condition of the roof warrants a full retrofit.

The work will consist of removing and sealing six skylights, replacing three skylights, removing the old generator exhaust system, and installing a ½ inch cement board and new membrane over the entire roof. The membrane will be pitched in such a way to utilize the existing drainage points on the roof. If this roofing work is not completed, the leaking water may cause damage to the building and equipment within the building.

Recommendation:

Malcor Roofing submitted the lowest pricing of the six bidders. Staff has reviewed the bids and verified the references of Malcor Roofing. It is the recommendation of staff to award the contract for the Water Treatment Plant #3 roof retrofit to the lowest responsive and responsible bidder, Malcor Roofing, in the amount of $112,495.00 for the roof retrofit work with a contingency of up to 10% for any additional repair work necessary beyond the scope of this project.

There are sufficient funds in the FY 2014/2015 Bonds for this expense.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Malcor Roofing for the Water Treatment Plant #3 roof retrofit in the submitted bid amount of $112,495.00 allowing for a 10% contingency for unforeseen expenses.

DATED this_____day of_____, 2014

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____

Agenda Item No: 21

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Building Division Services Agreement Award

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with T.P.I. Building Code Consultants in the submitted proposal amount.

Staff Contact: Michelle Rentzsch, Director of Community Development
Rick Paulson, Building Commissioner

Background:

To improve efficiencies and meet our customers' expectations, the Building Division continually reviews and modifies its processes. Examples include:

- Instant Permit Program: Over-the-counter permits issued for many types of residential permits (re-roofs, window replacements, etc.)
- Seasonal help assistance for the busiest summer months
- Field utilization of mobile tablet devices (ongoing) increases the time in the field for inspectors and decreases the amount of office and administrative time
- Streamlining of permit fee structure (ongoing)

To meet the peak permit activity times (April to October), additional outside assistance on an as-needed basis during the peak season would be very helpful to meet the published review times, to handle inspections and to respond to complaints in a timely manner.

Contractor Selection

The City issued a request for proposals (RFP) for Building Division services. The City received proposals from two qualified firms: B&F Construction Code Services (B&F) and T.P.I. Building Code Consultants (TPI). Staff is aware of only four firms within the Chicagoland area which provide these types of services. All four firms were contacted; however, only two submitted a proposal.

Each of the proposals were reviewed and ranked based solely on their qualifications. The general criteria that were considered during the review were:

- Technical Qualifications
- Provided Project Examples
- Experience of Key Personnel
- Customer Service
- Reference Checks
- Interview with Key Personnel

Main Categories for Review Criteria
In reviewing the proposals and during the interview process, the categories of **Business Advocacy, Customer Satisfaction, Technical Ability** and **Responsiveness** were the main areas of scrutiny. The interview questions and scenarios were structured around these categories (see attached interview questions). During the proposal reviews and the interviews, TPI far exceeded in these four categories. During the interview, their responses were in sync with the business advocacy, customer service and responsiveness values that are held and carried out every day with the City's Building Division. TPI provided detailed examples of how they advocate for the customer in their daily operations, provide exceptional customer service in all scenarios, and hold the same response times as the City. In addition, their responses to the technical ability questions/scenario were detailed and experienced, demonstrating their in-depth knowledge of the codes and how to properly administer them. In contrast, B&F provided limited responses and did not completely answer all the questions.

References
During the RFP evaluation process, the Division conducted referenced checks for TPI and B&F. Two references were checked for each contractor. While both had good references, TPI was singled out for their responsiveness and their willingness to work with residents and business owners. Additionally, both firms submitted letters of reference, which have been included in the agenda packet.

A point system was established for each category. The attached table was provided to each firm prior to their final submittal, and utilized to objectively rate each firm's proposal. The following summarizes the points received by each firm, in order of their final rank:

Firm	Qualification Review Score	Interview Score	Total (Max 295)
B&F Construction Code Services	111	78.75	189.75
T.P.I. Building Code Consultants	122	132.5	254.5

Based upon the awarded points, TPI was ranked the most responsive and responsible firm. They have provided professional and consistent service for over 17 years to over 40 municipalities. During the proposal reviews and the interviews, TPI far exceeded in the four main categories stated above.

Plan Review

To meet our customers' requirements, the Building Division completes any type of plan review within 10 to 15 days. However, during the peak season, the plan review turnaround time can extend to 17 days.

By utilizing TPI's services, the applicant would now have the ability to receive their plan review within 10 days or less, even during the peak season by utilizing the consultant. The consultant's fee would be passed through to the applicant. The applicant would be able to review the approved flat fee before making the decision to utilize the consultant. The provided fee schedule of TPI is attached.

Inspections and Other Services

An hourly rate has been provided by TPI for the various inspection types, see attached. The consultant would be utilized during the peak season on an as-needed basis but not to exceed the 2014/2015 budget amount.

Recommendation

For the reasons provided above, TPI is recommended for selection. They are widely recognized as one of the leading firms for providing review and inspection services to municipalities in the Chicagoland area. TPI provides building division services in all of the needed areas of construction and has a highly professional, educated, and competent staff. During the consultant selection process, it was very evident that TPI understands the City's mission, will take pride in the work they perform in and for the City, and will provide exceptional customer service at all times.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the agreement with T.P.I. Building Code Consultants for Building Division Services in the submitted proposal amount for a term ending April 30, 2016.

BE IT FUTHER RESOLVED that the City Manager is authorized to execute an extension of the agreement for the term of May 1, 2016 through April 30, 2018.

DATED this third day of June, 2014.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

_____
City Clerk

PASSED: June 3, 2014

APPROVED: June 3, 2014

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: City Code Amendment Removing Contractor Bond Requirements for Building Permits

Staff Recommendation: Motion to adopt an ordinance deleting Chapter 241, § 241-38 of the City Code.

Staff Contact: Michelle Rentzsch, Community Development Director
Rick Paulson, Building Commissioner

Background:

City Code Section 241-39 requires a $10,000.00 license permit bond for many types of contractors requesting a building permit in the City. The intent of the bond was to protect the City's property if any damage occurred during construction. The types of contractors that are required to submit a bond are:

1. General contractor
2. Excavating
3. Concrete
4. Paving
5. Carpentry
6. Roofing
7. Sewer
8. Water
9. Masonry
10. In-ground pool contractors

In the course of reviewing Community Development processes and finding solutions to streamline the permit process, Community Development staff scrutinized this requirement. In the rare case that a contractor damages City property, there are other means to hold the contractor accountable for the repairs. These methods include administrative adjudication or civil suits.

Eliminating this step will streamline the permit process. Additionally, the tracking of these bonds to ensure they are current would no longer be necessary.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 241, § 241-38, of the City Code shall be deleted:

SECTION II: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this third day of June, 2014.

APPROVED:

_____
MAYOR

SEAL

ATTEST:

_____
CITY CLERK

PASSED: June 3, 2014

APPROVED: June 3, 2014

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Agenda Item No: 23

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Building Permit Fee Ordinance Revision

Staff Recommendation: Motion to adopt an Ordinance amending Chapter 241 of the City Code.

Staff Contact: Michelle Rentzsch, Director of Community Development
Rick Paulson, Building Commissioner

Background:

As the Building Division continues to streamline operations and improve customer service, the Division is proposing a simplified and consistent fee schedule for small projects. The City's current fee schedule is very difficult for permit applicants to understand due to differing methods used to calculate a fee. Depending on the permit type, the permit fee is a function of the estimated project cost, square footage, a combination of calculations, or a flat fee. Not only is the fee structure difficult to understand, there appears to be no consistency regarding the factors that determine a building permit fee. Through its research, the Division found no historical information to explain the rationale of the current permit fee structure. Additionally, valuation of construction cost is difficult to verify and projects are consistently undervalued to save on the cost of a permit.

The Building Division is recommending a revision to the fee structure to simplify and streamline the permit process. The proposed fee structure will categorize many different permit types into tiers based on the types of reviews and number of inspections needed. The Division reviewed the types of reviews and numbers of inspection required for several different types of projects and developed three tiers.

This proposal improves customer service by reducing the amount of information that an applicant needs to provide and simplifies the fee structure for residents and contractors. It will also streamline the Division's operations. When the City receives calls requesting the cost of a permit, the Building Division has to ask several questions about the project in order to give an estimate of the final permit fee. Under the new system, the Division can give a definitive answer quickly without having to know details about the project.

Permits in the first tier require a building review and one or two inspections and would have a flat fee of $35.00. The majority of these permit types are issued over the counter. The following permit types are included in the first tier:

- Residential roofs
- Residential furnace and air conditioning together
- Residential furnace separate
- Residential air conditioning separate
- Water heater
- Sewer repair
- Miscellaneous permits requiring two inspections
- RPZ for Irrigation Systems

The second tier includes permits that require a zoning review and a minimum of two inspections and would have a flat fee of $40.00. Many of these permits can be issued instantly. The following permit types fall into the second tier:

- Fences
- Driveways
- Sidewalks/stoops/porches
- Fire Pits separate
- Swimming pools (storable)
- Sheds
- Hot Tubs
- Miscellaneous permits requiring a zoning review and two inspections
- Electrical Service Upgrade
- Windows
- Siding

The third tier includes permits that require a zoning review, detailed building plan review, and a minimum of two inspections with a flat fee of $45.00. These permits are not issued instantly, as they require a more detailed review. The following permits would fall under the third tier:

- Decks
- Gazebos
- Patios
- Swimming pools (permanent above ground)
- Fireplaces

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 241: Fees, Sections 1 through 10, of the City Code shall be amended as follows:

Chapter 241:FEES

§ 241-1 Establishment of fee schedule.
There shall be established a permit fee schedule as follows.

§ 241-2 Single-family construction.
Per dwelling unit as defined by Chapter 650, Zoning:

Type	**Fee**
New construction (includes building, garage, electrical, plumbing, heating, air conditioning and zoning fees)	$0.52/square foot
Addition to existing structure 400 square feet or less	
Minimum fee	$30.00
Each additional square feet over 400 square feet	$0.05

§ 241-3 Multifamily, duplex, and townhouse construction.

Per dwelling unit as defined by Chapter 650, Zoning:

Type	**Fee**
New construction	$250.00
Addition to existing structure 200 square feet or less:	
Minimum fee	$50.00

241-4 Residential and commercial flat fees for miscellaneous projects

A. The following permit types shall have a fee of $30.00.
- Roofs
- Siding
- Windows

- Residential furnace and air conditioning together
- Residential furnace separate
- Residential air conditioning separate
- Water heater
- Sewer repair
- Irrigation Systems
- Other permits requiring two inspection

This fee includes an initial building review and the completion of one or two inspections.

B. The following permit types shall have a fee of $35.00.

- Fences
- Driveways
- Sidewalks/stoops/porches
- Fire Pits separate
- Storable swimming pools
- Sheds
- Hot Tubs
- Electrical Service Upgrade
- Other permits requiring a zoning review and two inspection

This fee includes a zoning review and a minimum of two inspections.

C. The following permit types shall have a fee of $45.00.

- Decks
- Gazebos
- Patios
- Permanent above ground swimming pools
- Fireplaces
- Other permits requiring a zoning, detailed plan review and two inspections

This fee includes a zoning review, detailed building plan review, and a minimum of two inspections.

§ 241-5 Industrial, commercial, offices, churches, and schools.
Per unit (Each separate office, store, or business within a building shall be considered a separate unit.)

Type	**Fee**
New construction:	
1,000 square feet or less	$0.25/square foot
Minimum fee	$150.00
Addition to existing structure:	
500 square feet or less	$200.00
Each additional square foot over 500 square feet	$0.10
Accessory building, new:	
100 square feet or less	$50.00
Each additional square foot over 100 square feet	$0.05

§ 241-6 Alteration, remodeling, and repair of any buildings or structures.

DRAFT

A. Per dwelling or units as defined by Chapter 650, Zoning, except that each separate office, manufacturing, or business within the building shall be considered a separate unit:

Valuation	**Fee**
1 - 500	$10.00
501 - 1,000	$15.00
1,001 - 3,000	$25.00
3,001 - 5,000	$35.00
5,001 - 8,000	$35.00
8,001 - 10,000	$40.00
Over 10, 000	$40.00, plus $4.00 per $1,000.00 over $10,000.00

B. "Repair" means the replacement of existing work with equivalent materials for the purpose of its maintenance but not including any addition, change or modification in construction, existing facilities, or permanent fixtures or equipment. Repairs may be made without filing an application or obtaining a permit.

§ 241-7 Electrical.

Per dwelling unit or units as defined by Chapter 650, Zoning, except that each separate office, store, or business within a building shall be considered a separate unit:

A. New residential fees.

New residential fee, each unit:

Single-family	Included with new single-family construction fee.
Multifamily/townhouse	$50.00
Residential addition/alteration basic fee	$10.00, plus fees in Subsection B
Commercial:	
Basic fee	$60.00, plus fees in Subsection B
Annual electrical permit fee	$300.00
Industrial:	
Basic fee	$80.00, plus fees in Subsection B
Annual electrical permit fee	$350.00

B. Additional fees.

(1) Circuits (10 circuits or less), minimum fee: $5.
(2) Each additional circuit over 10: $1.
(3) Outlets (75 openings or less), minimum fee: $5.
(4) Each additional opening: $1.
(5) Motors and other apparatus (10 HP or less), minimum fee: $5.
(6) Each addition HP: $1.
(7) Service: $40.00
(8) Each additional 100 amps: $5.
(9) Automatic fire alarm system (per $1,000 of valuation): $15.
(10) Communication system (intercom, radio, telephone): $15 per stem.

§ 241-8 Plumbing.

Per dwelling unit or units as defined by Chapter **650**, Zoning, except that each separate office, store, or business within a building shall be considered a separate unit:

A. New residential fee, each unit:

(1) Single-family: included with new single-family construction fee.

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(2) Multifamily: $50.

(3)	Residential addition/alteration basic fee	$10.00, plus fees in Subsection B

B. Additional fees.

(1) Fixture, per fixture: $3.
(2) Gas piping, per opening: $3.
(3) Floor drain, per drain: $3.
(4) Sprinkler system (fire) per $1,000 of valuation: $5.
(5) Sewer service inspection: $10.
(6) Water service inspection: $10.
(7) Backflow prevention device, RPZ, etc. (per device): $45.
(8) Septic system (new or repair): $25.
(9) Well system (new or repair): $25.

§ 241-9 Heating.

Per dwelling unit or units as defined by Chapter **650**, Zoning, except that each separate office, store, or business within a building shall be considered a separate unit:

A. New residential fee, each unit:
   (1) Single-family: included with new single-family construction fee.
   (2) Multifamily: $50.
B. Commercial basic fee: $50, plus BTU input or kilowatt fee.
C. Industrial basic fee: $80, plus BTU input or kilowatt fee.
D. BTU input.

BTU input	Fee
0 - 75,000	$10.00
75,001 - 150,000	$15.00
150,001 - 250,000	$20.00
250,001 - 350,000	$25.00
350,001 - 500,000	$30.00
Over 500,000	$30.00, plus $0.00005 per 1,000 BTU over 500,000

E. Electric kilowatt fee: $0.30 per kilowatt of heating capacity.

§ 241-10 Air conditioning.

Per dwelling unit or units as defined by Chapter 650, Zoning, except that each separate office, manufacturing, or business within a building shall be considered a separate unit:

A. New residential fee, per unit:
   (1) Single-family: included with new single-family construction fee.
   (2) Multifamily: $50.
B. Commercial basic fee: $50, plus BTU input fee.
C. Industrial basic fee: $80, plus BTU input fee.
D. BTU input fee.

BTU Input	Fee
0 - 29,000	$10.00
29,001 - 36,000	$15.00
36,001 - 48,000	$20.00
48,001 - 60,000	$25.00
60,001 - 100,000	$30.00

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Over 100,000	$30.00, plus $0.00025 a BTU over 100,000

SECTION II: That Chapter 241: Fees, Sections 23 through 29 of the City Code shall be amended as follows:

§ 241-23 Driveway.
Per driveway:

A.	Single-family:	$40.00
B.	Multifamily:	$40.00
C.	Industrial or commercial:	$40.00

§ 241-24 Parking lots.

Review and inspection	$150.00

§ 241-25 Fences.

Review and inspection	$40.00

§ 241-26 Housing.

VA, FHA or lending institution request for Chapter 301, Housing Code, compliance inspection, per dwelling unit:	$400.00

§ 241-27 Elevators, dumbwaiters, escalators, moving walks and hoisting equipment.

A.	New permit inspection fees:		
	(1)	Elevators and escalators:	$175.00
	(2)	Platform lifts:	$175.00
	(3)	Dumbwaiters:	$175.00
	(4)	Dock lifts:	$175.00
B.	Reinspection fees for existing:		
	(1)	Elevators and escalators: $50.	
	(2)	Platform lifts: $50.	
	(3)	Dumbwaiters: $50.	
	(4)	Dock lifts: $50.	

§ 241-28 Swimming pools.

A.	Storable Pool	$40.00
B.	Above Ground Pool	$45.00
B.	Inground Pool	$150.00

§ 241-29 Building demolition.

Flat fee per building	$150.00

SECTION III: That Chapter 241: Fees, Section 37 of the City Code shall be amended as follows:

§ 241-37 Reinspection fee.
[Amended 6-17-2008 by Ord. No. 6376]
Whenever the Building/Zoning, Engineering, Fire Rescue or Planning Department shall make an inspection after a second failed inspection pursuant to the issuance of a notice under the ordinances of the

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City of Crystal Lake, a fee of $100.00 shall be paid for that inspection and each subsequent inspection. Said fee shall be paid at the time the inspection is requested.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION V: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this third day of June, 2014.

APPROVED:

_____

MAYOR

SEAL

ATTEST:

_____

CITY CLERK

PASSED: June 3, 2014

APPROVED: June 3, 2014

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Agenda Item No: 24

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: Community Development Department Ordinance Amendments

Staff Recommendation: Motion to:

1. Motion to adopt an ordinance amending Chapter 33 of the City Code, regarding the divisions and departments of the City of Crystal Lake.

2. Motion to adopt an ordinance amending the City Code pertaining to the Creation of the Community Development Department.

Staff Contact: Michelle Rentzsch, Director of Community Development
Eric Helm, Deputy City Manager

Background:

As the Council may recall, in January 2014, the City consolidated the Engineering and Building Department with the Planning and Economic Development Department. This combined department is now called the Community Development Department. This consolidation better streamlines the development review process and enhances the City's services to the community.

In order to formalize these changes, the City Code needs to be amended. The amended ordinances will authorize language changes throughout the City Code, but predominately in Chapter 33.

In addition, Section 33-8, Housing Services Division, will be eliminated since it is redundant and unnecessary. The Building Commissioner will still serve as the "Housing Officer" per City Code Chapter 302; however, a separate Housing Services Division is not necessary.

Votes Required to Pass:
Simple Majority

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AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE CITY OF CRYSTAL LAKE PERTAINING TO THE DIVISIONS AND DEPARTMENTS OF THE CITY OF CRYSTAL LAKE.

WHEREAS, the City of Crystal Lake, (the "City") is a home rule municipality as contemplated under Article VII Section 6 of the Constitution of the State of Illinois and the passage of this Ordinance constitutes an exercise of the City's home rule powers; and

WHEREAS, it is in the best interest of the City of Crystal Lake to consolidate the Engineering and Building Department and the Planning and Economic Development Department into one unified Community Development Department; and

WHEREAS, the Mayor and City Council have found and determined that it is in the best interest of the City and its residents to amend Chapter 33 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE:

SECTION I: Recitals.

The foregoing recitals are hereby incorporated as though fully restated herein.

SECTION II: Amendment to Chapter 33 Part 1, Article II and Article III of the City Code. This Chapter of the City Code is hereby amended to provide as follows:

- (additions are shown as underlined; deletions are shown as strikethrough)

Chapter 33. Divisions and Departments

Part 1. Specific Divisions

Article II. Community Development Department ~~Engineering and Building Department~~

§ 33-4 Establishment. There is hereby created the Community Development Department ~~Engineering and Building Department~~ for the City of Crystal Lake. It shall consist of the Director of

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Community Development ~~Engineering and Building~~, and such administrative assistants and other employees as may be provided for by the City Council in the annual Appropriation and Budget Ordinance of the City. The Director shall have control over all employees of the Department, subject to the authority and control of the City Manager. In the event of a vacancy in the office of Director of the Community Development Department ~~Engineering and Building~~, the City Manager shall serve as ex officio head of the Department until the position is filled by a separate appointment.

§ 33-5General duties.

The Director of Community Development or his/her designated representative ~~Engineering and Building~~ shall have the following duties:

A. To assist in the preparation of all federal grants.

B. To coordinate the functions and duties of the Community Development Department ~~each division of the Engineering and Building Department~~ hereinafter established.

C. To plan and organize the implementation of projects, the administration of community development acitivites, and coordinate the implementation of public facility improvements, public services and other related programs.

D. To oversee the building and zoning functions of the City, which includes the current and long-range planning, code enforcement and development activities.

E. The Community Development Director shall assist in the preparation of amendments to the official Comprehensive plan and supporting data, the Official Map, and all amendments to the Zoning Ordinance.

G. In addition to the aforementioned duties, the Community Development Director shall perform such other duties as may be assigned by the City Manager.

§ 33-6 Building Services Division.

A. Establishment. There is hereby created the Building Services Division of the Community Development Department ~~Engineering and Building Department~~. It shall consist of the Building Commissioner, and such administrative assistants and other employees as may be provided for by the City Council in the annual Appropriation and Budget Ordinance of the City. The authority exercised by the Building Commissioner shall be designated by the Director of Community Development ~~Engineering and Building~~ or the City Manager. In the event of a vacancy in the office of Building Commissioner, the Director of Community Development ~~Engineering and Building~~, or other person designated by the City Manager, shall serve as ex officio head of the Division ~~Department~~ until the position is filled by a separate appointment.

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B. General duties. The Building Commissioner or his/her designated representative shall have the following duties:

(1) To enforce all ordinances enacted and codes adopted by reference by the City relating to the construction, alteration or repair of all buildings or structures, and all other public or private improvements. In addition, the Building Commissioner shall make or cause to be made any inspections needed for the enforcement of such ordinances and codes.

(2) The Building Commissioner shall be the enforcement officer for the Housing, Building, Electrical and Plumbing Codes and shall serve at the "Housing Officer" for the Housing Code pursuant to Chapter **302**. In addition, the Building Commissioner shall be the enforcement officer for ordinances of the City relating to the construction or alteration of signs, swimming pools, parking lots and sidewalks, air-conditioning systems and water and sewer facilities, as well as for ordinances relating to the moving of buildings and the removal of refuse or junk.
[Amended 8-21-2007 by Ord. No. 6245]

(3) To issue or cause to be issued all permits pursuant to Chapter **241**, Fees, of this Code.

(4) The Building Commissioner shall perform such other duties as may be prescribed by any ordinance of the City, or directed by the Director of Community Development ~~Engineering and Building~~ or by the City Manager.[1]

§ 33-7 Engineering Services Division.

A. Establishment. There is hereby created the Engineering Services Division of the Community Development ~~Engineering and Building~~ Department. It shall consist of the City Engineer, and such administrative assistants and other employees as may be provided for by the City Council in the annual Appropriation and Budget Ordinance of the City.

B. General duties. The City Engineer or his/her designated representative shall have the following duties:

(1) The City Engineer shall have charge of and supervision over the making of all surveys, plans, maps and investigations regarding City facilities until specific direction to the contrary is made by the City Manager.

(2) The City Engineer shall exercise approval authority over engineering plans or all public and private improvements in the City, and shall make all inspections needed for that purpose.

(3) The City Engineer shall issue all permits required by ordinance of the City to be issued by the City Engineer.

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(4) The City Engineer shall perform all other engineering services required of the City, as well as such other duties as may be prescribed by any ordinance of the City, by the Director of Community Development or by the City Manager.

~~§ 33-8 Housing Services Division.~~

~~A. Establishment. There is hereby created the Housing Services Division of the Engineering and Building Department for the City of Crystal Lake. It shall consist of the Housing Director and such administrative assistants or other employees as may be appointed by the City Manager or provided for by ordinance of the City. The Director of Engineering and Building or designee shall serve as the Housing Director. In the event of a vacancy in the office of Housing Director, the City Manager shall serve as ex officio head of the Housing Division until the position is filled by a separate appointment by the City Manager.~~

~~B. Duties. The Housing Director shall have the following duties:~~

~~(1) It shall be the primary duty of the Housing Director to enforce the provisions of Chapter 301, Housing Code, and to make all inspections necessary for that purpose.~~

~~(2) The Housing Director shall perform such other duties as may be assigned by any ordinance of the City, or by the City Manager.~~

§ 33-9 Pollution Control Services Division.

A. Establishment. There is hereby created the Pollution Control Services Division of the Community Development ~~Engineering and Building~~ Department for the City of Crystal Lake. It shall consist of the Director of Pollution Control and such administrative assistants or other employees as may be appointed by the City Manager, or provided for by ordinance of the City. The Director of Community Development ~~Engineering and Building~~ or designee shall serve as the Director of Pollution Control. In the event of a vacancy in the office of Director of Pollution Control, the City Manager shall serve as ex officio head of the Pollution Control Division until the position is filled by a separate appointment by the City Manager.

B. Duties. The Director of Pollution Control or his/her designated representative shall have the following duties:

(1) The Director of Pollution Control shall be the chief enforcement officer for Chapter **397**, Pollution, Article **I**, Pollution Control, and shall perform the duties specified therein.

(2) It shall be the duty of the Director of Pollution Control to make recommendations to the City regarding pollution control standards, and to advise the City on all other pollution control matters.

(3) The Director of Pollution Control shall perform such other duties as may be assigned by ordinance of the City, by the Director of Community Development or by the City Manager.

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~~Chapter 33. Divisions and Departments~~

~~Part 1. Specific Divisions and Departments~~

~~Article III. Planning and Economic Development Department~~

§ 33-10 Planning and Economic Development Division ~~Establishment~~

A. Establishment. There is hereby created the Planning and Economic Development Services Division ~~Department~~. It shall consist of the Planning and Economic Development Manager ~~Director~~, and such administrative assistants and other employees as may be provided for by the City Council in the annual Appropriation and Budget Ordinance of the City.

§ 33-11 General duties.

The Planning and Economic Development Manager ~~Director~~ or his/her designated representative shall have the following duties:

A. The Planning and Economic Development Manager ~~Director~~ shall assist the Planning and Zoning Commission in the review and approval of all planned unit developments and all subdivisions of lots, tracts, or parcels of land.

B. The Planning and Economic Development Manager ~~Director~~ shall be responsible for the implementation of the official Comprehensive Plan.

C. The Planning and Economic Development Manager ~~Director~~ shall assist in the preparation of amendments to the official Comprehensive plan and supporting data, the Official Map, and all amendments to the Zoning Ordinance.

D. The Planning and Economic Development Manager ~~Director~~ shall assist in the preparation of all federal grants.

E. In addition to the aforementioned duties, the Planning and Economic Development Manager ~~Director~~ shall perform such other duties as may be assigned by the City Manager.

§ 33-12 Zoning Services Division.

A. Establishment. There is hereby created the Zoning Services Division of the Community Development ~~Planning and Economic Development~~ Department. It shall consist of the Director of Community Development ~~Planning and Economic Development~~ who shall serve as the Zoning Administrator or designee of the Director of Community Development, and such other administrative assistants or employees as may be provided for by the City Council in the annual

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Appropriation and Budget Ordinance of the City. The Building Commissioner, or a designee of the Director of Community Development ~~Economic Development~~, shall be designated as the Zoning Enforcement Officer unless otherwise provided by ordinance of the City. In the event of a vacancy in the office of Zoning Administrator, the Director of Community Development ~~Engineering and Building~~, or a designee of the City Manager, shall serve as ex officio head of the Zoning Department until the position is filled by a separate appointment. In the event of a vacancy in the office of Zoning Enforcement Officer, the Director of Community Development ~~Engineering and Building~~, or a designee of the City Manager, shall serve as Zoning Enforcement Officer until the position is filled by a separate appointment by the City Manager.

B. General duties of Zoning Administrator.

(1) It shall be the duty of the Zoning Administrator to receive and process all request for amendments, special uses, variances and appeals pursuant to the Zoning Ordinance of the City of Crystal Lake.

(2) It shall be the duty of the Zoning Administrator to issue all zoning certificates.
(3) The Zoning Administrator shall perform such other duties as may be assigned by ordinances of the City or the Illinois Compiled Statutes.
(4) It shall be the duty of the Zoning Enforcement Officer to issue all occupancy certificates.
(5) The Zoning Enforcement Officer shall perform such other duties as may be assigned by the Zoning Administrator and/or the Director of Community Development or by ordinance of the City or the Illinois Compiled Statutes.

SECTION III: This ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION IV: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 3rd day of June, 2014

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED:
APPROVED:
Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

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AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE PERTAINING TO THE CREATION OF THE COMMUNITY DEVELOPMENT DEPARTMENT

WHEREAS, the City of Crystal Lake, (the "City") is a home rule municipality as contemplated under Article VII Section 6 of the Constitution of the State of Illinois and the passage of this Ordinance constitutes an exercise of the City's home rule powers; and

WHEREAS, it is in the best interest of the City of Crystal Lake to consolidate the Engineering and Building Department and the Planning and Economic Development Department into one unified Community Development Department; and

WHEREAS, the Mayor and City Council have found and determined that it is in the best interest of the City and its residents to amend the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE:

SECTION I: Recitals.

The foregoing recitals are hereby incorporated as though fully restated herein.

SECTION II: The Code of the City of Crystal Lake is amended to revise the following terms wherever they appear throughout the Code:

- (additions are shown as underlined; deletions are shown as strikethrough)

a) Section 146-13C is amended as follows:

> C. All premises used by licensees under this chapter shall be periodically inspected by the Director of **Community Development** ~~Engineering and Building~~ or his/her authorized representatives to ensure compliance with Subsections A(1) through (2)of this section and the following:
>
> > (1) The safety of the structure and adequacy of plumbing, ventilation, heating, illumination and fire protection;

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(2) The walls shall be clean and painted with washable, mold-resistant paint;

(3) All equipment used in the adult business operation shall be maintained in a clean and sanitary condition;

(4) No performance shall be carried on within any cubicle, room, booth, or any area within an adult business which is fitted with a door capable of being locked.

b) Section 187-2A(8) is amended as follows:

(8) Section 110.6, Final filing of certificate. The owner of said property shall file said receipt with the **Community Development** ~~Engineering and Building~~ Department of the City of Crystal Lake, and the Building Commissioner shall file a certified copy of the certificate of occupancy, when issued, with the McHenry County Supervisor of Assessments.

c) Section 187-2A(54) (o) is amended as follows:

(o) Section HI 16 shall be added and shall read as follows:

H116 SIGN REMOVAL

H116.1 Suspended business signs. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management may be granted a thirty-day extension to the requirements in Unified Development Ordinance Section 4-1000 C 9 by the Building Commissioner or Director of **Community Development** ~~Engineering and Building~~ after written application.

[no changes to remainder of section]

d) Section 192-9C(1) is amended as follows:

C. Address Committee.

(1) The Address Committee is made up of representatives from the **Community Development,** ~~Engineering and Building, Planning and Economic Development,~~ Police, and Fire Rescue Departments.

(2) Committee recommendations. The Address Committee may propose address changes to street names and numbering to improve public safety and allow easy recognition of properties.

e) Section 209-2A, E and F are amended as follows:

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A. The applicant for such permission shall file an application in writing with the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative, which application shall be accompanied by a set of building plans, in duplicate, drawn to scale, which shall indicate clearly:

(1) The type of construction.

(2) The seating arrangements.

(3) The aisles.

(4) The structural details and calculations of the seats and supports.

(5) The location of all electrical wiring.

(6) The location of all exits.

(7) The location of all fire equipment within the structure and the specifications of such equipment.

(8) The location, insofar as feasible, of adjacent structures and obstructions which might hinder the free egress of persons from the exits.

. . . . . .

E. If the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative determines that the attendance of fire equipment at the location of the structure during the use of such structure as a place of assembly is necessary for the safety of persons and property, the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative shall require that the applicant deposit with the City of Crystal Lake a sum equal to the reasonable value of the use of said equipment and the furnishing of the necessary personnel for such time as will be required, in order to reimburse the City of Crystal Lake for such expense.

F. Such application and plans shall be submitted to the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative at least 10 days prior to the date of the opening of any such structure, and he/she shall be notified at least 46 hours prior to the erection of such structure, so that he/she may make an inspection during reasonable daylight hours.

f) Section 209-4 is amended as follows:

§ 209-4. Required facilities.

The Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative shall determine if the applicant has made provision for:

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A. Adequate aisles, seats, platforms and poles.

B. Sufficient exits, well marked and properly lighted.

C. Lighted and unobstructed passageways to areas leading away from the structure.

D. Removal, before the structure is to be used as a place of public assembly, of any pole, rope or other obstruction in any aisle or exit.

E. Inspection before the opening of each performance by a qualified electrician to ascertain if any defects exist in the wiring and provision is made for immediate correction of any defects which may be found.

F. Sufficient first-aid fire appliances to be distributed throughout the structure with operating personnel familiar with the operation of such equipment available and assigned during the use of such structure as a place of assembly.

G. Sufficient "No Smoking" signs visible at all times.

H. An employee at each entrance to require the extinguishing of all cigarettes, cigars and other smoking materials.

I. Announcement at frequent intervals to the persons in the assembly of the fact that smoking within the structure is prohibited.

J. Proper safeguarding of any use of open flame or its use prohibited.

K. The clearing of straw, dry grass, sawdust and any combustible trash from the structure before it is opened to the public and arrangements are made to keep the areas where debris may be expected to accumulate well serviced, especially under open seats.

L. Proper facilities for calling the City Fire Department.

M. Such special fire equipment of the City of Crystal Lake to attend at such structure during its use as a place of public assembly as the Building Commissioner or his/her designated representative may decide is necessary for proper fire protection.

N. The attendance of such special police officers and fire fighters as the Builiding Commissioner ~~Engineering and Building~~ or his/her designative representative may deem necessary for the control of persons in the assembly to prevent overcrowding, obstruction of aisles and exits and such other control as may be necessary to render the occupation of such structure by the public safe.

O. The tent and canvas parts of the structure and all combustible decorative materials, including curtains, acoustic materials, streamers, cloth, cotton batting, straw, vines, leaves, trees and moss, to be rendered fireproof.

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g) Section 209-6 is amended as follows:

§ 209-6. Issuance and revocation of permit.

A. If the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative finds that the provisions of §§ 209-4 and 209-5 of this chapter are complied with, or will be complied with, by the applicant, he/she shall issue a permit to erect or maintain such structure, conditional upon such reasonable limitations and requirements as he/she may deem necessary for the safety of persons and property.

B. Upon completion of such structure, it shall not be used as a place of assembly until the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative has inspected the entire premises upon which the structure is located.

C. If the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative finds that all of the limitations and requirements of the permit and this ordinance have been complied with and that the structure has been erected in accordance with the plans and specifications submitted with the application, he/she shall grant a permit to occupy such premises.

D. It shall be unlawful for any person to cause or permit the occupancy of such structure as a place of assembly without the issuance of such permit to occupy such structure as provided for herein.

E. If the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative finds that such structure, or the premises on which it is located, is being maintained in violation of any of the provisions of the permit to erect or maintain any of the provisions of this chapter, or in such a manner as to constitute a fire hazard, he/she may revoke the permit to occupy provided for herein.

h) Section 209-7 is amended as follows:

§ 209-7. Appeals.

Any person, firm or corporation whose permit to occupy has been revoked as aforesaid may, within 10 days after receipt of a notice thereof, appeal to the City Council for a hearing thereon, and the decision of the Council in this regard shall be final. If no appeal is taken within 10 days as provided herein the action of the Director of **Community Development** ~~Engineering and Building~~ or his/her designated representative shall be final.

i) Section 228-19 is amended as follows:

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§ 228-19. Administration.

A. Any eligible building or business owner who wishes to apply for an improvement grant can obtain an application from the City. Applications for improvement matching grants will be accepted on a first-come-first-serve basis and shall be subject to the financial limitations as established by the City's annual appropriation ordinance. Only completed applications that include all required submittal documents and information will be accepted. The City's **Community Development** ~~Planning and Economic Development~~ Department will review the application for accuracy and will determine if it meets the requirements for funding.

B. If the application is determined to meet the requirements of the program, the application will be sent to City Council for review. If the application receives City Council approval, the applicant must enter into an agreement with the City. The improvement grant agreement stipulates that the improvements must be constructed within 180 days of approval. Matching grant funds will only be disseminated to the applicant once the construction of the approved improvements has been completed and has been inspected by the City's Building **Services** Division. Matching grant funds will be disseminated to the applicant within 45 days of a passing inspection and providing complete documentation to verify reimbursements.

C. If grant funding for a current funding cycle, as established by the City's annual appropriation ordinance, has been fully distributed, applicants may be placed on a waiting list to be considered for a grant when funds become appropriated and available.

j) Section 228-20C is amended as follows:

C. Following the completion of the improvements, grant recipients shall be required to provide the **Community** ~~Planning and Economic~~ Development Department with documentation to prove that the reimbursable improvements have been fully paid for by the recipient. Additional documentation may be required, as determined by the City Council.

k) Section 228-29A is amended as follows:

A. Any eligible building or business owner who wishes to apply for an improvement grant can obtain an application from the City. All applications for matching grants will be accepted on a first-come-first-served basis and will be subject to the financial limitations established by the City's annual appropriation ordinance and from time to time. Only completed applications that include all required submittal documents and information will be accepted. The City's **Community** ~~Planning and Economic~~ Development

Department will review each application for accuracy and will determine if it meets the requirements for funding. If the application is determined to meet the requirements of the program, then the application will be sent to City Council for review.

l) Section 228-30C is amended as follows:

C. After the applicant's business has obtained a final certificate of occupancy, proof satisfactory to the City of purchase of, and payment for the furniture, fixtures, and equipment must be provided to the **Community** ~~Planning and Economic~~ Development Department, including receipts, cancelled checks, or other certifiable proof.

m) Section 241-32B is amended as follows:

B. Temporary occupancy with a hold-harmless agreement signed by the owner and building for any unfinished items of a minor or nonhazardous nature when approved only by the **Community Development** ~~Engineering and Building~~ Department official: $35.

n) Section 241-37 is amended as follows:

§ 241-37. Reinspection fee.

Whenever the **Community Development or** ~~Building/Zoning, Engineering,~~ Fire Rescue ~~or Planning~~ Department shall make an inspection after a second failed inspection pursuant to the issuance of a notice under the ordinances of the City of Crystal Lake, a fee of $35 shall be paid for that inspection and each subsequent inspection. Said fee shall be paid at the time the inspection is requested.

o) Section 241-38C is amended as follows:

C. The Building Code Official or Director of **Community Development** ~~Engineering and Building~~ shall have the authority to require a bond of $10,000 from any other contractor not specifically listed if the risk of damage to City property exists.

p) Section 286-4 is amended as follows:

§ 286-4. Removal by perpetrator.

Any person applying graffiti on public or private property shall have the duty to remove the graffiti within 24 hours after notice by the City or private

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owner of the property involved. Such removal shall be done in a manner prescribed by the Chief of Police, the Director of **Community Development** ~~the Department of Engineering and Building~~ or any additional City department head, as authorized by the City Council. Any person applying graffiti shall be responsible for the removal or for the payment of the removal. Failure of any person to remove graffiti or pay for the removal shall constitute an additional violation of this chapter. Where graffiti is applied by an unemancipated minor, the parents or legal guardian shall also be responsible for such removal or for the payment for the removal.

q) Section 295-14A(2) is amended as follows:

(2) Applications shall be filed at the Crystal Lake **Community Development** ~~Planning Department~~ on a form provided by the Commission. Persons wishing guidance or advice prior to completing an application may contact the staff of the Crystal Lake Planning and Economic Development Division. The form shall contain the following items: *[remaining text unchanged]*

r) Section 295-14A(4)(a) is amended as follows:

(a) Prior to the public hearing on the application for landmark designation, the **Community Development** ~~Planning~~ Department shall conduct a study of the site or structure proposed for landmark designation and make a report containing preliminary findings on the historic, architectural and aesthetic significance of the site or structure.

s) Section 295-15B is amended as follows:

B. Nominations shall be filed at the Crystal Lake **Community Development** ~~Planning~~ Department on a form provided by the Commission. Persons wishing guidance or advice prior to completing an application may contact the staff of the Crystal Lake **Community Development** Department ~~of Planning and Economic Development~~. *[remaining text unchanged]*

t) Section 295-15C(2) is amended as follows:

(2) Prior to the public hearing on the application for Historic District designation, the **Community Development** ~~Planning~~ Department shall conduct a study of the site, structures, or area proposed for Historic District designation and make a report containing preliminary findings on the historic, architectural and aesthetic significance of the site, structures, or area.

DRAFT

u) Section 295-19 is amended as follows:

A. Applications for certificates of appropriateness shall be filed in the **Community Development** Department ~~of Planning and Economic Development~~ on forms approved by the Commission. Persons wishing guidance or advice prior to completing an application may contact the staff of the **Community Development** Department ~~of Planning and Economic Development~~.

(1) The application shall include:

(a) Street address of the subject property.

(b) Legal description of the subject property.

(c) Brief description of the present improvements on the subject property.

(d) A detailed description of the construction, alteration, demolition or use proposed together with architectural drawings or sketches if those have been used by the applicant, and if not, a sufficient description of construction, alteration, demolition, and use to enable the Commission to determine what final appearance and use of the subject property will be.

(e) Owner's name.

(f) Contractor's name, if different than owner.

(g) Architect's name.

(2) A filing fee may be required.

B. At the next regular meeting, the Commission shall review the application and may grant a certificate of appropriateness if it finds that the proposed work is clearly appropriate and in accordance with the applicable criteria set forth in this article. The Commission's decision shall be in writing and shall include findings of fact in support thereof. Copies of the decision shall be mailed to the applicant with copies forwarded to the **Community Development** ~~Engineering and Building~~ Department.

C. After the issuance of a certificate, no change may be made in the proposed work without resubmittal of an application. The certificate of appropriateness remains valid for the same period of validity as the building permit.

v) Section 295-21C is amended as follows:

C. The Commission shall vote, announce its decision, makes its recommendation, and notify the **Community Development** ~~Planning~~ Department and the applicant within five days after the conclusion of the

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hearing, unless the time is extended by mutual agreement between the Commission and the applicant.

w) Section 392-2C is amended as follows:

C. Section 890.420a)4), Pipe Cleanouts; Location of Cleanouts within a Building Drain, is hereby amended as follows: A full-size cleanout shall be located within five feet of the building, inside or outside, in direct line with the building drain and sewer. A monitoring manhole may be installed as an alternative to an outside cleanout and shall also be located outside of the building within five feet of the building foundation and installed in such a manner that it meets the approval of the City **Community Development Department** ~~Engineering and Building Division~~ or Public Works Department.

x) Section 397-3C is amended as follows:

C. Enforcement activities pertaining to this article shall be the responsibility of the City Police Department or other appropriate agency. Inspection activities shall be the responsibility of the **Community Development** ~~Engineering and Building~~ Department or other appropriate agency, and monitoring activities shall be the responsibility of the Department of Public Works or other appropriate agency.

y) Section 458-5O and P are amended as follows:

O. Inspection and testing. The representative of the **Community Development** ~~Engineering and Building~~ Department shall have the right and authority to inspect, test any pool or to check the operation thereof during reasonable daylight hours.

P. Authority to close. If a representative of the **Community Development** ~~Engineering and Building~~ Department shall find, after inspection, that the operation of the pool does not meet the sanitary and safety requirements of this section, he/she shall direct that the pool be closed until the sanitary and safety requirements are met.

z) Section 458-23 is amended as follows:

§ 458-23. Inspection and testing.

The representatives of the **Community Development** ~~Engineering and Building~~ Department shall have the right and authority to inspect, test any pool or to check the operation thereof during reasonable daylight hours.

DRAFT

aa) Section 458-24 is amended as follows:

§ 458-24. Authority to close.

If a representative of the **Community Development** ~~Engineering and Building~~ Department shall find, after inspection, that the operation of the pool does not meet the sanitary and safety requirements of this chapter, he/she shall direct that the pool be closed until the sanitary and safety requirements are met.

bb) Section 463-11A is amended as follows:

A. All premises used by licensees hereunder shall be periodically inspected by the Director of **Community Development** ~~Engineering and Building~~ or his/her authorized representatives for safety of the structure and adequacy of plumbing, ventilation, heating, illumination and fire protection.

cc) Section 463-36A is amended as follows:

A. All premises used by licensees hereunder shall be periodically inspected by the Director of **Community Development** ~~Engineering and Building~~ or his/her authorized representatives for safety of the structure and adequacy of plumbing, ventilation, heating, illumination and fire protection.

dd) Section 496-108E(9) is amended as follows:

(9) Each permittee shall install and maintain, at each location at which a patron or guest surrenders his or her vehicle for parking, a reflective sign, with letters and numerals plainly visible from the street, displaying "Public Valet Parking," the permittee's name, the address and telephone number of the business, the time when the permittee is no longer on duty, and the parking fees, if any.

(a) If fees are charged, such fees also shall be stated as follows:

[1] Rates per hour;

[2] Rates per fraction of an hour, if any;

[3] Rates for subsequent hours or fractions thereof; and

[4] The maximum charge.

(b) All fractions of time must be spelled out in letters. Valet signs must not be less than 24 inches by 36 inches in size. The "Valet Parking" and the maximum rate portion of the sign must have a

minimum lettering/numeral size of three inches per character. Prior to installation, plans for signage must be submitted to and approved by the Crystal Lake **Community Development** ~~Engineering and Building~~ Department.

ee) Section 496-156B is amended as follows:

B. Every required warning sign must be approved by the City's **Community Development** ~~Building and Engineering~~ Department prior to its installation, and all warning signs are subject to the fees provided in this Code. The **Community Development** ~~Building and Engineering~~ Department may specify the locations within the parking lot or area where the warning signs must be posted. The **Community Development** ~~Building and Engineering~~ Department also may require the installation of more than two warning signs if the Department determines that the size or configuration of the parking lot or area warrants more than two signs to properly alert motor vehicle drivers.

ff) Section 515-13A and E are amended as follows:

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the **Community Development** ~~Engineering and Building~~ Department.

E. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the **Community Development** ~~Engineering and Building~~ Department to meet all requirements of this article.

gg) Section 570-2H is amended as follows:

H. Permit. A permit issued by the **Community Development** Department ~~of Engineering and Building~~ shall be required for all parking lot, driveway and curb work.

hh) Section 570-3A(4) is amended as follows:

(4) A permit issued by the **Community Development** ~~Engineering and Building~~ Department shall be required for all sidewalk installations.

ii) Section 570-3B(1) is amended as follows:

DRAFT

(1) No walk shall be poured unless the subgrade, compacted granular base, forms, grade and alignment have been inspected and approved by the **Community Development** ~~Engineering and Building~~ Department.

jj) Section 575-2 is amended as follows:

A. The Engineering **Services** Division shall determine if a traffic study is necessary or specific traffic issues need to be evaluated as part of the development review process, as outlined in § 650-42 of Chapter 650, Zoning.

B. The Engineering **Services** Division shall review the proposed development and, based upon a suitable site plan, shall develop a scope of services.

C. The developer/owner shall be given the choice to select the private traffic consulting firm that will complete the traffic study using one of the following two selection procedures:

(1) The developer/owner can opt to select one of the six approved traffic engineering firms to complete the traffic study/analysis, pursuant to the process outlined in Subsection D below.

(2) The developer/owner can opt to select one of the six approved traffic engineering firms to complete the traffic study/analysis using the request for proposal (RFP) process outlined in Subsection E below.

D. In order to expedite the traffic review procedure, the developer/owner shall have the option of selecting an approved traffic consultant to complete the traffic study/analysis, exclusive of the RFP process. The City shall furnish the developer/owner with a list of six approved traffic consultants having been selected pursuant to the selection process in § 98-3.

(1) The developer/owner shall select one of the six approved traffic consultants, and notify the City in writing of the selection. Upon receipt of the developer's/owner's selection, the Engineering **Services** Division shall send the scope of services to the selected consultant and request a quote from the consultant to include a "not to exceed" amount.

(2) The developer/owner shall provide to the City Engineering **Services** Division a cashier's check, letter of credit or cash to secure the cost of the selected consultant's proposal.

(3) Upon compliance with Subsection D(2), the City shall enter into a contract with the selected consultant. A completed and finally approved copy of the consultant's report shall be furnished to the developer/owner.

DRAFT

E. At the request of the developer/owner, the traffic study/analysis can be completed using the request for proposal (RFP) process.

(1) The Engineering **Services** Division shall send a request for proposals to a list of six traffic engineering consultants.

(2) All tendered proposals shall be furnished to the developer/owner who will have the right to select the proposal/consultant of its choice.

(3) The developer/owner shall provide in writing to the City Engineering **Services** Division its selection of a consultant together with a cashier's check, letter of credit or cash to secure the cost of the selected consultant's proposal.

(4) Upon compliance with Subsection E(3), the City shall enter into a contract with the selected consultant. A completed and finally approved copy of the consultant's report shall be furnished to the developer/owner.

(5) In the event subsequent reviews and/or additional meetings are required of the consultant, the developer/owner is obligated to compensate the City for any additional amount billed by the consultant.

kk) Section 595-17C is amended as follows:

C. Class V injection wells.

(1) Any direct infiltration structures proposed in the stormwater management system that qualify as a Class V injection well under the Federal Underground Injection Control (UIC) Program must be reported to the Illinois Environmental Protection Agency (IEPA) for inclusion in its inventory. Class V injection wells are defined as any bored, drilled, or driven shaft, or dug hole that is deeper than its widest surface dimension, or an improved sinkhole, or a subsurface fluid distribution system. This includes most direct infiltration structures such as drywells and column drains.

(2) The owner of a Class V injection well is not required to obtain a permit from the IEPA prior to construction. However, the owner must submit an inventory information form to the IEPA before the direct infiltration structure is operational.

(a) The inventory information form identifies the type of Class V well and the nature of the injection activity. Following review of this information by IEPA, the well owner may be required to provide additional information to demonstrate operation of the well will not result in contamination of an

DRAFT

underground source of drinking water (USDW). In rare cases, a Class V well owner may be required to obtain a true permit prior to beginning operation.

(b) Completed inventory information forms are available from the IEPA and the City of Crystal Lake's Engineering **Services** Division webpage and shall be submitted to:

Illinois Environmental Protection Agency

Bureau of Land - #24

1021 North Grand Avenue East

Springfield, Illinois 62794-9276

ll) Section 595-21E(18) is amended as follows:

(18) Infiltration basins may be used as detention facilities subject to the following:

(a) The basin must be designed to dewater within 72 hours following the end of the one-hundred-year, twenty-four-hour storm.

(b) The underlying soils must have a sustainable infiltration rate of at least 0.5 inch per hour as determined by a geotechnical engineer in a sealed opinion. Infiltration testing requirements are available from the City of Crystal Lake Engineering **Services** Division. Column drains may be used to access more permeable substrate, at the discretion of the enforcement officer, if designed by a geotechnical engineer in a sealed opinion.

(c) Pretreatment facilities for runoff must be provided to prevent loss of infiltration capacity.

(d) Direct infiltration (i.e., column drain) must be at least 200 feet away from any water supply wells and 1,000 feet away from a public water supply well. Direct infiltration structures must be at least 25 feet away from a building foundation unless a suitable design is produced by a licensed engineer and approved by the enforcement officer.

(e) Runoff from the areas that have water quality concerns or are subject to frequent winter deicing must not be routed directly to the infiltration facility.

(f) The bottom of the infiltration basin must be at least four feet above the seasonal high groundwater elevation.

(g) Infiltration and retention basin design shall provide sufficient storage volume to provide an additional factor of safety to account for

DRAFT

the decreased effectiveness of this type of stormwater management system over time and the potential loss of infiltration due to conditions such as frozen ground. All infiltration and retention basins without a surface release must provide, at a minimum, the larger of the following two storage volumes:

[1] One hundred fifty percent of the volume for the one-hundred-year, twenty-four-hour event (7.58 inches of rainfall) using the field-determined infiltration rate as the release rate and a design methodology consistent with the stormwater management provisions of this chapter.

[2] One hundred percent of the volume for the one-hundred-year, twenty-four-hour event, as determined using the Unit Area Detention Chart (available from the City of Crystal Lake Engineering **Services** Division), and calculated as though a surface release were available.

SECTION III: This ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION IV: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 3rd day of June, 2014

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED:

APPROVED:

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Agenda Item No: 25

City Council
Agenda Supplement

Meeting Date: June 3, 2014

Item: UDO Text Amendment for various provisions of the Unified Development Ordinance

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance amending Chapter 650 of the Code of Ordinances of the City of Crystal Lake for the changes to the UDO.

Staff Contact: James L. Richter II, Planning and Economic Development Manager

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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.
- 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.

Key Factors

The proposed text amendments would address the following provisions of the UDO:

	Current Provisions	Proposed Provisions
Article 2 Land Use (various provisions)	Massage establishments are currently permitted as a permitted use in the O, B-2 and B-4 districts.	The proposed amendment would require that massage parlors are approved as a Special Use and criteria added.
	Major Automotive Repair uses currently do not permit auto sales.	Automotive Sales as an ancillary use to Major Automotive Repair uses was previously approved by the City Council. Deleting this restriction from the Major Automotive Repair section will remove the conflict within the UDO.

Article 2 Land Use (various provisions)	Mobile Vendors are currently regulated as Itinerant Vendors.	The proposed amendment would require mobile vendors to seek a Temporary Use Permit with review criteria included.
Article 4-100 Street Standards	Currently, the UDO delineates that the grade for an accessibility ramp shall be determined and approved by the City Engineer.	The proposed language indicates that grades must meet the latest guidelines and standards of the Americans with Disability (ADA) Act.
Article 4-200 Off-Street Parking & Loading	Currently, the UDO implies, but does not clearly spell out that non-residential uses, parking must occur on approved surfaces only.	The proposed language clearly spells out that all parking must be on approved surface only.
Article 4-600 Accessory Structures	Currently, the UDO requires that accessory structures located within 5 feet of the principal structure or closer are required to provide appropriate fire rating.	The proposed language spells out the fire rating requirement in detail.
Article 4- 700 Fences, Walls and Screening	Current UDO language restricts garbage disposal equipment for residences from being stored in the front or corner side yards.	The proposed language would remove the restriction and allow residents to store garbage cans in front of the garage.
Article 9 Administration	Currently, uses not permitted in a specific district can be permitted only if a text amendment is approved.	The proposed language allows 'Alternate Uses' as Special Uses within the "M-L" and "M" districts only where specific criteria spelled out in the Ordinance are met.
Other Changes		With the recent consolidation of the Planning and Economic Development and the Engineering and Building Departments into the Community Development Department, references throughout the UDO to the Planning and Economic Development Director and the Director of Engineering and Building must be updated to reflect Director of Community Development.

PZC Highlights

- Following discussion, the PZC recommended **approval** of the proposed changes at the May 7th meeting **(7-0)**.

The language in the UDO will be amended as follows:

1. Article 2 Land Uses

	F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS
Service Use Continued																
Massage (Therapeutic) ~~parlors~~ **Establishments**								~~P~~S		~~P~~ S	~~P~~ S					**2-300C-63**

Section 2-400 Limited and Special Use Criteria

Section 2-400 Limited and Special Use Criteria

11. Automotive Repair, Major

Major automotive repair facilities must comply with the following standards:

a. Location of repair: All repairs shall be performed within a completely enclosed building.

b. Licensed vehicles: All vehicles parked or stored on-site shall display a current license plate with a current registration.

~~c. Sale of vehicles: The sale of vehicles on-site or the advertising for such sale is prohibited.~~

~~a.~~ **c.** Odors and fumes: The use shall safely and appropriately vent all odors, gas and fumes and shall comply with all applicable Federal, State and local regulations. Such vents shall be located a minimum of 10 feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas vapors from the fill pipes.

~~b.~~ **d.** Outdoor vehicle storage: Vehicles to be stored outdoors must be contained on-site on a paved area. The outside storage area shall be screened with a minimum 6 feet tall solid wooden fence. In selected cases, an 8 feet tall solid wooden fence may be required.

~~c.~~ **e.** Parts or junk vehicle storage: Outdoor storage of automotive parts or junk vehicles is prohibited.

~~d.~~ **f.** Fuel dispensing: Unattended, automated dispensing of gasoline or other engine fuel is prohibited.

~~e.~~ **g.** Fluid/oil collection mats: Fluid/oil collection mats are required by facilities in wellhead protection areas and within the Crystal Lake watershed.

63. 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, non-reflective 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 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.

j. 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.

k. 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.

l. Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.

2. Temporary Use Permit requirements

Article 2-300 Permitted Uses Table

Categories & Sub-categories	Use		Use Criteria	NAICS
Temporary	**Mobile Vendors**	**Temporary Use - All Districts**	**2-500B7**	**-**

Section 2-500 Temporary Use Criteria
B. Review Criteria for Temporary Uses

7. 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 1 year with an effective date of May first and an expiration date of April 30.

c. A total of six TUP's 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 504 of 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 24 hour period.**

3. Article 4 Development and Design Standards, Street Standards

Article 4-100 D 2. Sidewalks

e. Accessibility

(i) All sidewalks shall be constructed in such a manner so as to provide access to the sidewalk at the curbline for handicapped persons by means of an inclined ramp. ~~, the grade of which shall be determined and approved by the City Engineer~~. **All grades must meet the latest guidelines and standards of the American with Disabilities Act.**

Table 4-100 D3: Summary of Sidewalk Design Standards

Table 4-100 D3: Summary of Sidewalk Design Standards				
				Code Section
Sidewalk Width	Standard:		Min. 5 feet	4-100 D-2 a (i)
	Matching Existing:		Min. 4 feet	4-100 D-2 a (ii)
	Carriage Walks:		Min. 6 feet	4-100 D-2 a (iii)
Sidewalk Thickness	In Public ROW:		Min. 4 inches	4-100 D-2 b (i)
	Thru Residential Drives:		Min. 6 inches	4-100 D-2 b (ii)
	Thru Non-Residential Drives:		Min. 8 inches	4-100 D-2 b (iii)
Sidewalk Pavement Design	Well compacted subgrade			Appendix
	Compacted CA-6 Gravel (Grade 8 or 9) – Min. 2 inches			Appendix
	Six-bag cement mix per cubic yard of concrete (Class SI Concrete)			Appendix
	A curing compound shall be applied to all finished surfaces.			Appendix
~~Minimum Pitch~~	~~¼ inch per foot of width~~			~~Appendix~~
	~~¼ inch to ½ inch per foot of length (along curbline)~~			
Tooled Joints	Contraction	5-foot centers	Shall not exceed 1/3 the thickness of the finished walk	Appendix
	Expansion	1/2 inch full-depth every 50 feet.	Where the walk abuts an existing walk, a curb, driveway, approach, building	
Cold Weather Pours	Air Temp: 35°F and rising			Appendix
Cold Weather Protection	***25° F. through 32° F***		Two layers of polyethylene	Appendix
	Below 25° F		12 inches of straw covered with two layers of polyethylene	

4. Article 4 Development and Design Standards, Street Standards
   Article 4-200 Off-street Parking and Loading
   3. Surfacing
   All off-street parking and loading areas shall meet the standards listed in Article III, Land Development, Chapter 570: PARKING LOT, DRIVEWAY AND SIDEWALK CONSTRUCTION of the City Code. **Parking shall occur only on off-street parking areas.**

In certain areas, where permeable soils are present and allow proper drainage, the City Engineer or his/her assigned designee may permit the use of permeable paving materials, including, but not limited to porous concrete, permeable interlocking concrete pavers, concrete grid pavers, and porous asphalt. Compacted gravel will not be considered as permeable pavement and gravel parking lots shall be permitted only upon the approval of a variation.

5. Alternate Uses
Article 9-200 SPECIFIC STANDARDS AND OTHER REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL

B. Amendments
C. Variations and Simplified Residential Variations
D. Special Use Permits
E. Planned Unit Development
F. Watershed Planned Unit Development
G. Sign Variations

H. Alternate Uses

~~H.~~ **I.** Appeals and Stays of Proceedings
~~I.~~ **J.** Withdrawal of Application and Repeated Application
~~J.~~ **K.** Notice
~~K.~~ **L.** Permits
~~L.~~ **M.** Fees
~~M.~~ **N.** Penalties
~~N.~~ **O.** Separability

H. Alternate Uses

1. Alternate Uses are:

a. Intended to allow flexibility in the use of land or structures in the "M-L" or "M" districts in the City when such uses meet appropriate conditions and performance standards that protect public health, safety and welfare.;

b. Alternate uses that address a current need or demand but are intended for a limited time period of not more than three years, unless an extension of such time period is approved;

c. Judged to be presently acceptable by the City Council, but that with anticipated development or redevelopment will not be acceptable in the future or will be replaced in the future by a permitted or special use allowed within the district; or

d. Reflective of anticipated long range change to an area and which are in compliance with the Comprehensive Plan provided that said uses maintain harmony and compatibility with surrounding uses and are in keeping with the architectural character and design standards of existing uses and development.

2. Specific uses are not spelled out as Alternate Uses in Article 2, Land Use. The Zoning Administrator, upon the applicant's request, can make the initial

determination, based on the standards for Alternate Uses, whether a specific use, not permitted in the zoning district is eligible to seek an Alternate Use Permit.

3. **Alternate uses may only be authorized pursuant to an Alternate Use Permit, the consideration of which shall be reviewed according to the standards and procedures for a special use permit as established by Article 9, Administration of this Ordinance, as well as the standards set forth in this Section. Depending upon the specific use requested, an Alternate Use Permit may contain specific conditions relating to such use, including provisions that limit the time during which an Alternate Use may continue to operate, the location or locations where the Alternate Use may be permitted, and such other limitations or conditions to carry out the purposes of this Ordinance.**

4. **Standards for Alternate Uses**
   No Alternate Use Permit may be granted unless the City Council determines that the use will comply with the following:
   a. **The general performance standards in Article 2, Land Use will be met;**
   b. **The use will not delay or otherwise inhibit anticipated development or redevelopment of the site;**
   c. **The use will not be in conflict with any provisions of the UDO or City Code on an ongoing basis;**
   d. **The use will not adversely affect the adjacent property, the surrounding neighborhood, or other uses on the property where the use will be located;**
   e. **The property on which the use will be located is currently in compliance with all applicable Ordinance standards;**
   f. **The use will not impose additional unreasonable costs on the public; and**
   g. **The owner will provide an appropriate financial surety to cover the cost of removing the Alternate Use and any structures serving the Alternate Use upon the expiration of, and to the extent required under the terms of, the Alternate Use Permit.**
   h. **The use otherwise conforms to the comprehensive plans and zoning regulations as regards to performance standards and other requirements;**
   i. **The use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and,**
   j. **The applicant will agree in writing to any conditions City may attach to the approval of an Alternate Use Permit to mitigate anticipated adverse impacts associated with the use, to ensure compliance with the standards of the approval, to protect the value of the property, and to achieve the goals and objectives of the Comprehensive Plan.**

5. **Effect of Permit**
   a. **An Alternate Use will be authorized only for the location specified in the application and set forth in the Alternate Use Permit.**
   b. **The issuance of an Alternate Use Permit does not confer on the property any vested right.**

6. **Termination**

a. **An Alternate Use Permit expires and the Alternate Use must terminate at the earlier of:**
   i **any expiration date in the Alternate Use Permit;**
   ii **the occurrence of any event identified in the Alternate Use Permit for the termination of the use;**
   iii **revocation of the Alternate Use Permit; or**
   iv **an amendment of the UDO that no longer allows the Alternate Use.**

b. **An Alternate Use Permit expires one year after approval if the proposed use has not commenced or a building permit for a structure to support the interim use has not been issued.**

c. **An Alternate Use Permit expires if the alternate use ceases operation for a continuous period of at least three months, irrespective of intent.**

7. **Revocation or Modification**
   The City Council may direct staff to review an Alternate Use Permit periodically and may revoke a permit upon violation of any condition of the permit, any law of the United States or the State of Illinois, or any city ordinance. If it is discovered after approval of the Alternate Use Permit that the city's decision was based at least in part on false, misleading, or fraudulent information, the City Council may revoke the permit, modify the conditions or impose additional conditions to ensure compliance with this section.

6. Separation requirements between principal and accessory structures
   Section 4-600 Accessory Structures and Uses
   B. General Standards
   7. Are not located within 5 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.

7. Trash Enclosures
   Section 4-700 Fences, Walls and Screening
   C. Required Fences
   ~~2. Refuse containers and Facilities~~
   ~~Residential Properties: Garbage disposal equipment for residential properties shall not be permitted to be stored in the front and corner side yard.~~

8. Definitions

   ARTICLE 10, DEFINITIONS
   LAND USE, MOBILE VENDOR: A mobile vendor 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 504 of the City of Crystal Lake Municipal Code.

LAND USE, MASSAGE ESTABLISHMENT: Any establishment that provides massage as the primary means of business, employs at least one licensed massage therapist, and does not offer illicit sexual services under the guise of therapeutic massage. This shall include any establishment having a fixed place of business where any person, firm, association, partnership, or corporation engages in, carries on or permits to be engaged in, carried on any of the activities mentioned in the definition of massage, including but not limited to what are commonly known and referred to as spas, suntan spas, parlors, bathhouses and massage parlors. A massage business shall not include any accredited educational facility that teaches massage therapy or masseuse techniques, nor shall it include any licensed health care facilities, or establishment of duly licensed doctors. This will not apply to salons, recreational facilities, or physical therapy offices which may offer massages as an accessory use to more dominant uses on the premises. A massage establishment may employ only persons that have a State license issued by the Illinois Department of Professional Regulation pursuant to the Illinois Massage Licensing Act, 225 Illinois Compiled Statues 57/1 et seq., as it may be amended from time to time, to engage in the practice of massage.

LAND USE, MASSAGE: Massage means any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating any external parts of the body with the hands or other parts of the human body or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or similar preparations commonly used in said practice.

LAND USE, MASSAGE THERAPIST: Massage Therapist means any person who, for consideration or gratuity whatsoever, engages in the practice of massage as defined herein.

LAND USE, SPA OR DAY SPA: A commercial establishment which offers patrons multiple services such as: personal hygiene, grooming, relaxation therapy, hydro therapy and licensed massage therapy. The establishment may also offer incidental light nourishment or refreshment for patrons. Establishments which offer massage therapy must conform to the other provisions governing the same in this Ordinance.

9. Driveway Spacing
   APPENDIX, Section A-400 Access Management Manual
   C. Required Spacing
   Where the application of this subsection would preclude a driveway on a lot which was platted as of the effective date of this Ordinance, one (1) driveway shall be permitted. Such driveways shall be spaced as far from an existing driveway or intersection as possible without creating turning conflicts or other traffic hazards. **The City Engineer at his/her discretion may waive the required spacing requirement for non-conforming lots.** Illinois Department of Transportation (IDOT) Strategic Regional Arterial (SRA) requirements for minimum spacing between full-access drives may supersede the drive spacing standards in the table above for major arterials.

10. Sidewalk Design

APPENDIX, Section A-800 Sidewalk Design and Construction
2. Sidewalk Design
The finish grade of the sidewalk shall ~~be established by the City Engineer~~ **meet the latest guidelines and standards of the American with Disabilities Act.** ~~However, g~~General criteria includes a minimum pitch to the street of 1/4 inch per foot of width, and the grade of the finished walk shall have sufficient fall from the edge of the walk to the curbline to provide sufficient drainage which shall be ¼ inch to ½ inch per foot.

11. Other changes

With the recent consolidation of the Planning and Economic Development and the Planning and Engineering Departments into the Community Development Department, references throughout the UDO to the Planning and Economic Development Director and the Director of Engineering and Building must be updated to reflect Director of Community Development. An itemed list of the changes will be available at the meeting.

Article 1 Zoning Districts

Section 1-400 Zoning Map

Commentary
The digital version of the Zoning Map is available on the City's website. To obtain a print version, please contact the City's ~~Planning and Economic~~ **Community** Development Department.

Article 2 Land Use

Section 2-400 Limited and Special Use Criteria

A. Review of limited and special uses

2. Refer to the "Development Application - Special Use Permits" handout, available through the ~~Planning and Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

Section 2-400 Limited and Special Use Criteria

C. Review Criteria for specific uses

12. Car Washes
Please refer to the handout on Outdoor Sales, Service, Storage and Display available through the ~~Planning and Economic~~ **Community** Development Department for further clarification.

13. Gasoline Stations

f. Vending machines: One vacuum and one air compressors shall be permitted on-site. Vending machines are treated as outside sales and display. Refer to the handout on Outdoor Sales, Service, Storage and Display available through the ~~Planning and Economic~~ **Community** Development Department for further clarification.
g. Outside sales: Outside product display and sales of seasonal items are prohibited. Propane tanks stored in 1 locked metal cage are not treated as outside sales and permitted subject to the approval of the City's Fire Prevention Bureau. For any other outside display and sales, refer to the handout on Outdoor Sales, Service, Storage and Display available through the ~~Planning and Economic~~ **Community** Development Department for further clarification.

33. Commercial Stables, including riding arenas
b. Parking: All parking must occur on-site on an approved surface (Approved surface shall mean asphalt/bituminous, concrete/P.C.C. and any surface that is approved by the City's ~~Engineering and Building~~ **Community** Development Department) in accordance with the provisions of Article 4-200, Off-Street Parking & Loading.

36. Bed and Breakfast Inn
h. Signs: One 16 sq. ft. free standing sign (maximum 4 feet high) and one 4 sq. ft. wall sign are permitted. A sign permit through the ~~Building Division~~ **Community Development Department** is required.

37. Hostels
d. Signs: One 9 sq. ft. free standing sign (maximum 6 feet high), one 4 sq. ft. wall sign and one 6 sq. ft. temporary sign (maximum 6 feet high) are permitted. A sign permit through the ~~Building Division~~ **Community Development Department** is required.

Section 2-500 Temporary Use Criteria

B. Review Criteria for Temporary Uses

1. Real Estate Sales Office
f. Parking: An 8-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** ~~Planning & Economic Development Department~~.

SECTION 3-400 OVERLAY DISTRICT STANDARDS

C. Neighborhood Conservation (NC) Overlay District

5. Establishing or Expanding a NC Overlay District
a. Authority to initiate application: Applications for a NC Overlay District designation must be filed with the Department of Planning and Economic Development. An application may be initiated either:
(i) By an application (provided by the Department of **Community Development** ~~Planning and Economic Development~~) signed by property owner(s) representing at least 51% of the lots within the proposed district;

b. Application Requirements: When an application and proposed boundary map are filed to establish a NC Overlay District, the Director of ~~Planning and Economic Development~~ **Community Development** must determine the eligibility of the area for NCOD Designation in accordance with this subsection. An area is determined as eligible for a NC overlay designation if it satisfies all of the following application criterion:

c. Determination of Eligibility for NCO Designation
(i) If, based on the criteria in Section 3-400C 5(b) above, the Director of ~~Planning and Economic~~ **Community** Development determines that the area is not eligible for a NC Overlay District designation, the applicant(s) shall be notified of this fact in writing, including stated reasons for the decision. The decision of the Director of ~~Planning and Economic~~ **Community** Development may be appealed to the City Council.

(ii) If the Director of ~~Planning and Economic~~ **Community** Development determines that the area is eligible for designation as a NC Overlay District, the applicant(s) shall be notified of this decision and a public informational meeting will be scheduled.

d. Public Informational Meeting Required: If the area is determined to be eligible for a NCOD designation, the Director of ~~Planning and Economic~~ **Community** Development shall schedule a public meeting for the purpose of informing property owners in the proposed district of the nature of the pending request. The Director of Planning ~~and Economic~~ **Community** Development must send notice of the date, time and place of the meeting by first-class mail to all property owners with the proposed district. The City must initiate the preparation of a Neighborhood Conservation Plan within sixty (60) days of the Public Informational Meeting.

f. Upon completion of the proposed Neighborhood Conservation Plan, the Director of ~~Planning and Economic~~ **Community** Development must schedule a public meeting for the purpose of informing property owners of the proposed draft. The Director of ~~Planning and Economic~~ **Community** Development must send notice as indicated in Section 3-400C 5(d) above.

Article 4 Development and Design Standards

Section 4-100 Street Standards

D. Design Standards
2. Sidewalks
f. Permits: A permit issued by the ~~Engineering and Building~~ **Community Development** Department shall be required for all sidewalk installations.

Section 4-800 Exterior Lighting Standards

H. Procedures

1. Plan Submission
For subdivision and land-development applications where outdoor lighting is required or proposed, all lighting plans, lighting installations or other requests for approval of lighting

fixtures pursuant to this Section shall be submitted in duplicate, in writing to, and a permit shall be obtained from, the Director of ~~Engineering and Building~~ **Community Development** or his/her designative representative prior to installation.

Article 5 Subdivision Standards

Section 5-200 D Subdivision Types

1. Administrative Subdivisions

e. Deferral of underground placement of Public Utilities
An administrative deferral from immediate underground placement of Public Utilities, as required by these regulations, may be requested. The decision to grant the waiver shall be made by the Director of ~~Planning and Economic~~ **Community** Development and City Engineer based on the following criteria:

(i) The subdivision is an in-fill project within an existing neighborhood where utility service is provided aerially rather than underground;

(ii) It would not be practicable to serve the new subdivision underground without also serving the neighboring uses.

f. Procedure for Approval
The procedures and requirements for submission and review of an application are established in the handout for Administrative Subdivisions available through the ~~Planning and Economic~~ **Community** Development Department.

2. Minor Subdivisions

d. Procedure for Approval
The procedures and requirements for submission and review of an application are established in the handout for Minor Subdivisions available through the ~~Planning and Economic~~ **Community** Development Department.

3. Major Subdivisions

a. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Major Subdivisions available through the ~~Planning and Economic~~ **Community** Development Department.

4. Condominium Plat

d. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Condominium Plats, available through the ~~Planning and Economic~~ **Community** Development Department. Additional requirements for condominium conversion are established in the handout, as may be amended from time to time.

G. Procedures and Requirements

1. Conceptual Plat
Any owner of land which is within the corporate limits of the City of Crystal Lake wishing to divide the same into building lots for the purpose of sale or assessment, or both, which will require following the Major Subdivision process can apply for a Conceptual Plat review by the Planning and Zoning Commission. Conceptual Plats shall not be reviewed by the City Council. Neither the Planning and Zoning Commission nor the applicant shall be required to provide a formal position statement on the proposal, and any position statements offered are not binding on either body. Submittal requirements are available in the handout outlining procedures and requirements for submission and review of conceptual subdivision plats, with the Director of ~~Planning and Economic~~ **Community** Development.

2. Approval of Preliminary Plat
(i) The Director of ~~Planning and Economic~~ **Community** Development shall initiate a review of the Preliminary Plat by City staff and forward recommendations to the Planning and Zoning Commission prior to their consideration of the Preliminary Plat.

(iv) The fee for filing preliminary plats shall be as specified in this Ordinance. Such fee shall be paid by the subdivider to the City of Crystal Lake at the time of filing the Preliminary Plat with the Director of ~~Planning and Economic~~ **Community** Development.

3. Approval of Final Plat
(i) The Director of ~~Planning and Economic~~ **Community** Development shall initiate a review of the Final Plat by City staff and forward recommendations to the Planning and Zoning Commission prior to their consideration of the Final Plat.

(vi) 4 prints and 1 reproducible (Mylar copy) of the Final Plat, after the plat is recorded, must be submitted prior to the issuance of any building permit within the subdivision and will be filed and retained in the offices of the City of Crystal Lake. Final plan, as-built plans and plat shall be submitted in electronic format compatible with City networks as specified in the handout available through the ~~Planning and Economic~~ **Community** Development Department.

ARTICLE 7 Nonconformities

Section 7-400 Nonconformities upon Annexation

Upon submittal of all the information required above, or refusal to do the same by the owner/operator, the City shall schedule a public hearing on the matter before the Planning and Zoning Commission on the next open agenda. Notice for the hearing shall be as provided for in Article 9. The ~~Planning and Economic~~ **Community** Development Director shall cause to have prepared a staff report which shall be presented to the Planning and Zoning Commission. In

making a recommendation on an amortization period, the Commission shall consider the staff report and recommendation

Article 9 Administration

Section 9-200 Specific Standards and Other Requirements for Applications for Development Approval

A. Required Submittals

6. Additional information and/or materials as determined to be necessary by the City of Crystal Lake to meet the goals and objectives of this Ordinance, as detailed in the relevant Development Application handouts available through the ~~Planning & Economic~~ **Community** Development Department

B. Amendments

1. Application
Refer to the "Development Application - Map Amendments (Rezoning)" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements and for review procedures.

C. Variations and Simplified Residential Variations

1. Application
Any property owner in the City of Crystal Lake may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance as it applies to his/her property. Refer to the "Development Application - Variations," or the "Simplified Residential Variation Application" handout, available through the ~~Planning & Economic~~ **Community** Development Department, for specific explanations of submittal requirements and review procedures.

D. Special Use Permits
Refer to the "Development Application - Special Use Permits" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures

E. Planned Unit Development

1. Pre-application Conference
Before submitting required materials for a preliminary Planned Unit Development review, a pre-application meeting with the Director of ~~Planning and Economic~~ **Community** Development or his/her assigned designee is recommended. The purpose of the meeting is to informally discuss the general concept of the proposed development, its effects on the surrounding area and the City as a whole, and the feasibility of utilizing City services. The meeting is advisory and is intended to allow both parties to express their concerns and reach mutual conclusions.

2. Conceptual PUD

Following the pre-application meeting, the petitioner has the option to appear before the Planning and Zoning Commission to informally discuss the initial concept for the proposal. Neither party shall be required to provide a formal position statement on the proposal, and the developer shall not be required to comply with any position statement offered by either party. Refer to the "Development Application - Planned Unit Developments" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

3. Application
Refer to the "Development Application - Planned Unit Developments" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

6. Report
Within 45 days, or as soon as agenda schedule permits, after all pertinent information has been received from the petitioner, and as necessary from the City Staff, the petition shall be placed on the Planning and Zoning Commission agenda. The Director of ~~Planning & Economic~~ **Community** Development may require an earlier submittal date, if the proposed PUD is expected to require additional staff review time. Hearing/meeting dates shall not be established until all required submittals are received by the Director of ~~Planning & Economic~~ **Community** Development. The Planning and Zoning Commission shall review the proposed petition and report its findings to the City Council as provided in this section.

F. Watershed Planned Unit Development

1. Application
Refer to the "Development Application - Watershed Planned Unit Developments" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

6. Report
Within 45 days, or as soon as agenda schedule permits, after all pertinent information has been received from the petitioner, and as necessary from the City Staff, the petition shall be placed on the Planning and Zoning Commission agenda. The Director of ~~Planning & Economic~~ **Community** Development may require an earlier submittal date, if the proposed PUD is expected to require additional staff review time. Hearing/meeting dates shall not be established until all required submittals are received by the Director of ~~Planning & Economic~~ **Community** Development. The Planning and Zoning Commission shall review the proposed petition and report its findings to the City Council as provided in this section.

G. Sign Variations
1. Application
Any sign owner in the City of Crystal Lake and/or their authorized representative may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance, as it applies to the proposed sign. Refer to the "Sign Variation Application" handout, available through the ~~Planning & Economic~~ **Community**

Development Department, for specific explanations of submittal requirements and review procedures.

Article 10, Definitions
INCLUSIONARY ZONING, INCOME ELIGIBLE FAMILIES: A family whose annual income qualifies the family to rent or purchase an inclusionary dwelling unit. For the purposes of this Ordinance, the Director of ~~Planning and Economic~~ **Community** Development may designate a non-profit entity that provides housing as an income eligible family.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE AMENDING CHAPTER 650 OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS, PROVIDING FOR A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, a hearing of said Petition was held before the City of Crystal Lake Planning and Zoning Commission in the manner and in the form as prescribed by Ordinance and Statute;

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Crystal Lake Planning and Zoning Commission did recommend to the City Council of the City of Crystal Lake the granting of the requested text amendment (File #2014-12); and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, that the Crystal Lake Unified Development Ordinance, and such Ordinance as amended, be and the same is hereby amended as follows:

SECTION 1
Article 2, Land Use is amended to include the following additions and corrections:

	F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS
Service Use Continued																
Massage (Therapeutic) Establishments								S		S	S					2-300C-63

Section 2-400 Limited and Special Use Criteria

11. Automotive Repair, Major
Major automotive repair facilities must comply with the following standards:

a. Location of repair: All repairs shall be performed within a completely enclosed building.
b. Licensed vehicles: All vehicles parked or stored on-site shall display a current license plate with a current registration.
c. Odors and fumes: The use shall safely and appropriately vent all odors, gas and fumes and shall comply with all applicable Federal, State and local regulations. Such vents shall be located a minimum of 10 feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas vapors from the fill pipes.

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d. Outdoor vehicle storage: Vehicles to be stored outdoors must be contained on-site on a paved area. The outside storage area shall be screened with a minimum 6 feet tall solid wooden fence. In selected cases, an 8 feet tall solid wooden fence may be required.
e. Parts or junk vehicle storage: Outdoor storage of automotive parts or junk vehicles is prohibited.
f. Fuel dispensing: Unattended, automated dispensing of gasoline or other engine fuel is prohibited.
g. Fluid/oil collection mats: Fluid/oil collection mats are required by facilities in wellhead protection areas and within the Crystal Lake watershed.

63. 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, non-reflective 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 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.
j. 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.
k. 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.
l. Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.

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Section 2-500 Temporary Use Criteria

Article 2-300 Permitted Uses Table

Categories & Sub-categories	Use		Use Criteria	NAICS
Temporary	Mobile Vendors	Temporary Use - All Districts	2-500B7	-

B. Review Criteria for Temporary Uses

7. 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 1 year with an effective date of May first and an expiration date of April 30.
c. A total of six TUP's 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 504 of 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 24 hour period.

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Article 4 Development and Design Standards, Street Standards

Article 4-100 D 2. Sidewalks

e. Accessibility

(i) All sidewalks shall be constructed in such a manner so as to provide access to the sidewalk at the curbline for handicapped persons by means of an inclined ramp. All grades must meet the latest guidelines and standards of the American with Disabilities Act.

Table 4-100 D3: Summary of Sidewalk Design Standards

Table 4-100 D3: Summary of Sidewalk Design Standards				
				Code Section
Sidewalk Width	Standard:		Min. 5 feet	4-100 D-2 a (i)
	Matching Existing:		Min. 4 feet	4-100 D-2 a (ii)
	Carriage Walks:		Min. 6 feet	4-100 D-2 a (iii)
Sidewalk Thickness	In Public ROW:		Min. 4 inches	4-100 D-2 b (i)
	Thru Residential Drives:		Min. 6 inches	4-100 D-2 b (ii)
	Thru Non-Residential Drives:		Min. 8 inches	4-100 D-2 b (iii)
Sidewalk Pavement Design	Well compacted subgrade			Appendix
	Compacted CA-6 Gravel (Grade 8 or 9) – Min. 2 inches			Appendix
	Six-bag cement mix per cubic yard of concrete (Class SI Concrete)			Appendix
	A curing compound shall be applied to all finished surfaces.			Appendix
Tooled Joints	Contraction	5-foot centers	Shall not exceed 1/3 the thickness of the finished walk	Appendix
	Expansion	1/2 inch full-depth every 50 feet.	Where the walk abuts an existing walk, a curb, driveway, approach, building	
Cold Weather Pours	Air Temp: 35°F and rising			Appendix
Cold Weather Protection	*25° F. through 32° F*		Two layers of polyethylene	Appendix
	Below 25° F		12 inches of straw covered with two layers of polyethylene	

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Article 4-200 Off-street Parking and Loading

3. Surfacing
All off-street parking and loading areas shall meet the standards listed in Article III, Land Development, Chapter 570: PARKING LOT, DRIVEWAY AND SIDEWALK CONSTRUCTION of the City Code. Parking shall occur only on off-street parking areas. In certain areas, where permeable soils are present and allow proper drainage, the City Engineer or his/her assigned designee may permit the use of permeable paving materials, including, but not limited to porous concrete, permeable interlocking concrete pavers, concrete grid pavers, and porous asphalt. Compacted gravel will not be considered as permeable pavement and gravel parking lots shall be permitted only upon the approval of a variation.

Section 4-600 Accessory Structures and Uses
B. General Standards
7. Are not located within 5 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.

Section 4-700 Fences, Walls and Screening
C. Required Fences
~~2. Refuse containers and Facilities~~
~~Residential Properties: Garbage disposal equipment for residential properties shall not be permitted to be stored in the front and corner side yard.~~

Article 9 Administration
Article 9-200 Specific Standards and Other Requirements for Applications for Development Approval
B. Amendments
C. Variations and Simplified Residential Variations
D. Special Use Permits
E. Planned Unit Development
F. Watershed Planned Unit Development
G. Sign Variations
H. Alternate Uses
I. Appeals and Stays of Proceedings
J. Withdrawal of Application and Repeated Application
K. Notice
L. Permits
M. Fees
N. Penalties
O. Separability

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H. Alternate Uses

1. Alternate Uses are:
   a. Intended to allow flexibility in the use of land or structures in the "M-L" or "M" districts in the City when such uses meet appropriate conditions and performance standards that protect public health, safety and welfare.;
   b. Alternate uses that address a current need or demand but are intended for a limited time period of not more than three years, unless an extension of such time period is approved;
   c. Judged to be presently acceptable by the City Council, but that with anticipated development or redevelopment will not be acceptable in the future or will be replaced in the future by a permitted or special use allowed within the district; or
   d. Reflective of anticipated long range change to an area and which are in compliance with the Comprehensive Plan provided that said uses maintain harmony and compatibility with surrounding uses and are in keeping with the architectural character and design standards of existing uses and development.

2. Specific uses are not spelled out as Alternate Uses in Article 2, Land Use. The Zoning Administrator, upon the applicant's request, can make the initial determination, based on the standards for Alternate Uses, whether a specific use, not permitted in the zoning district is eligible to seek an Alternate Use Permit.

3. Alternate uses may only be authorized pursuant to an Alternate Use Permit, the consideration of which shall be reviewed according to the standards and procedures for a special use permit as established by Article 9, Administration of this Ordinance, as well as the standards set forth in this Section. Depending upon the specific use requested, an Alternate Use Permit may contain specific conditions relating to such use, including provisions that limit the time during which an Alternate Use may continue to operate, the location or locations where the Alternate Use may be permitted, and such other limitations or conditions to carry out the purposes of this Ordinance.

4. Standards for Alternate Uses
   No Alternate Use Permit may be granted unless the City Council determines that the use will comply with the following:
   a. The general performance standards in Article 2, Land Use will be met;
   b. The use will not delay or otherwise inhibit anticipated development or redevelopment of the site;
   c. The use will not be in conflict with any provisions of the UDO or City Code on an ongoing basis;
   d. The use will not adversely affect the adjacent property, the surrounding neighborhood, or other uses on the property where the use will be located;
   e. The property on which the use will be located is currently in compliance with all applicable Ordinance standards;

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f. The use will not impose additional unreasonable costs on the public; and
g. The owner will provide an appropriate financial surety to cover the cost of removing the Alternate Use and any structures serving the Alternate Use upon the expiration of, and to the extent required under the terms of, the Alternate Use Permit.
h. The use otherwise conforms to the comprehensive plans and zoning regulations as regards to performance standards and other requirements;
i. The use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and,
j. The applicant will agree in writing to any conditions City may attach to the approval of an Alternate Use Permit to mitigate anticipated adverse impacts associated with the use, to ensure compliance with the standards of the approval, to protect the value of the property, and to achieve the goals and objectives of the Comprehensive Plan.

5. Effect of Permit
   a. An Alternate Use will be authorized only for the location specified in the application and set forth in the Alternate Use Permit.
   b. The issuance of an Alternate Use Permit does not confer on the property any vested right.

6. Termination
a. An Alternate Use Permit expires and the Alternate Use must terminate at the earlier of:
   i Any expiration date in the Alternate Use Permit;
   ii The occurrence of any event identified in the Alternate Use Permit for the termination of the use;
   iii Revocation of the Alternate Use Permit; or
   iv An amendment of the UDO that no longer allows the Alternate Use.
b. An Alternate Use Permit expires one year after approval if the proposed use has not commenced or a building permit for a structure to support the interim use has not been issued.
c. An Alternate Use Permit expires if the alternate use ceases operation for a continuous period of at least three months, irrespective of intent.

7. Revocation or Modification
   The City Council may direct staff to review an Alternate Use Permit periodically and may revoke a permit upon violation of any condition of the permit, any law of the United States or the State of Illinois, or any city ordinance. If it is discovered after approval of the Alternate Use Permit that the city's decision was based at least in part on false, misleading, or fraudulent information, the City Council may revoke the permit, modify the conditions or impose additional conditions to ensure compliance with this section.

ARTICLE 10, DEFINITIONS

LAND USE, MOBILE VENDOR: A mobile vendor 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 504 of the City of Crystal Lake Municipal Code.

LAND USE, MASSAGE ESTABLISHMENT: Any establishment that provides massage as the primary means of business, employs at least one licensed massage therapist, and does not offer illicit sexual services under the guise of therapeutic massage. This shall include any establishment having a fixed place of business where any person, firm, association, partnership, or corporation engages in, carries on or permits to be engaged in, carried on any of the activities mentioned in the definition of massage, including but not limited to what are commonly known and referred to as spas, suntan spas, parlors, bathhouses and massage parlors. A massage business shall not include any accredited educational facility that teaches massage therapy or masseuse techniques, nor shall it include any licensed health care facilities, or establishment of duly licensed doctors. This will not apply to salons, recreational facilities, or physical therapy offices which may offer massages as an accessory use to more dominant uses on the premises. A massage establishment may employ only persons that have a State license issued by the Illinois Department of Professional Regulation pursuant to the Illinois Massage Licensing Act, 225 Illinois Compiled Statues 57/1 et seq., as it may be amended from time to time, to engage in the practice of massage.

LAND USE, MASSAGE: Massage means any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating any external parts of the body with the hands or other parts of the human body or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or similar preparations commonly used in said practice.

LAND USE, MASSAGE THERAPIST: Massage Therapist means any person who, for consideration or gratuity whatsoever, engages in the practice of massage as defined herein.

LAND USE, SPA OR DAY SPA: A commercial establishment which offers patrons multiple services such as: personal hygiene, grooming, relaxation therapy, hydro therapy and licensed massage therapy. The establishment may also offer incidental light nourishment or refreshment for patrons. Establishments which offer massage therapy must conform to the other provisions governing the same in this Ordinance.

APPENDIX, Section A-400 Access Management Manual

C. Required Spacing

Where the application of this subsection would preclude a driveway on a lot which was platted as of the effective date of this Ordinance, one (1) driveway shall be permitted. Such driveways shall be spaced as far from an existing driveway or intersection as possible without creating turning conflicts or other traffic hazards. The City Engineer at his/her discretion may waive the

DRAFT

required spacing requirement for non-conforming lots. Illinois Department of Transportation (IDOT) Strategic Regional Arterial (SRA) requirements for minimum spacing between full-access drives may supersede the drive spacing standards in the table above for major arterials.

APPENDIX, Section A-800 Sidewalk Design and Construction

2. Sidewalk Design
The finish grade of the sidewalk shall meet the latest guidelines and standards of the American with Disabilities Act. General criteria includes a minimum pitch to the street of 1/4 inch per foot of width, and the grade of the finished walk shall have sufficient fall from the edge of the walk to the curbline to provide sufficient drainage which shall be ¼ inch to ½ inch per foot.

Article 1 Zoning Districts

Section 1-400 Zoning Map

Commentary
The digital version of the Zoning Map is available on the City's website. To obtain a print version, please contact the City's Community Development Department.

Article 2 Land Use

Section 2-400 Limited and Special Use Criteria

A. Review of limited and special uses

2. Refer to the "Development Application - Special Use Permits" handout, available through the Community Development Department for specific explanations of submittal requirements, and for review procedures.

Section 2-400 Limited and Special Use Criteria

C. Review Criteria for specific uses

12. Car Washes
Please refer to the handout on Outdoor Sales, Service, Storage and Display available through the Community Development Department for further clarification.

13. Gasoline Stations
f. Vending machines: One vacuum and one air compressors shall be permitted on-site. Vending machines are treated as outside sales and display. Refer to the handout on Outdoor Sales, Service,

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Storage and Display available through the Community Development Department for further clarification.
g. Outside sales: Outside product display and sales of seasonal items are prohibited. Propane tanks stored in 1 locked metal cage are not treated as outside sales and permitted subject to the approval of the City's Fire Prevention Bureau. For any other outside display and sales, refer to the handout on Outdoor Sales, Service, Storage and Display available through the Community Development Department for further clarification.

33. Commercial Stables, including riding arenas
b. Parking: All parking must occur on-site on an approved surface (Approved surface shall mean asphalt/bituminous, concrete/P.C.C. and any surface that is approved by the City's Community Development Department) in accordance with the provisions of Article 4-200, Off-Street Parking & Loading.

36. Bed and Breakfast Inn
h. Signs: One 16 sq. ft. free standing sign (maximum 4 feet high) and one 4 sq. ft. wall sign are permitted. A sign permit through the Community Development Department is required.

37. Hostels
d. Signs: One 9 sq. ft. free standing sign (maximum 6 feet high), one 4 sq. ft. wall sign and one 6 sq. ft. temporary sign (maximum 6 feet high) are permitted. A sign permit through the Community Development Department is required.

Section 2-500 Temporary Use Criteria

B. Review Criteria for Temporary Uses

1. Real Estate Sales Office
f. Parking: An 8-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.

SECTION 3-400 OVERLAY DISTRICT STANDARDS

C. Neighborhood Conservation (NC) Overlay District

5. Establishing or Expanding a NC Overlay District
a. Authority to initiate application: Applications for a NC Overlay District designation must be filed with the Department of Planning and Economic Development. An application may be initiated either:
(i) By an application (provided by the Department of Community Development) signed by property owner(s) representing at least 51% of the lots within the proposed district;

b. Application Requirements: When an application and proposed boundary map are filed to establish a NC Overlay District, the Director of Community Development must determine the eligibility of the area for NCOD Designation in accordance with this subsection. An area is determined as eligible for a NC overlay designation if it satisfies all of the following application criterion:

c. Determination of Eligibility for NCO Designation
(i) If, based on the criteria in Section 3-400C 5(b) above, the Director of Community Development determines that the area is not eligible for a NC Overlay District designation, the applicant(s) shall be notified of this fact in writing, including stated reasons for the decision. The decision of the Director of Community Development may be appealed to the City Council.

(ii) If the Director of Community Development determines that the area is eligible for designation as a NC Overlay District, the applicant(s) shall be notified of this decision and a public informational meeting will be scheduled.

d. Public Informational Meeting Required: If the area is determined to be eligible for a NCOD designation, the Director of Community Development shall schedule a public meeting for the purpose of informing property owners in the proposed district of the nature of the pending request. The Director of Planning Community Development must send notice of the date, time and place of the meeting by first-class mail to all property owners with the proposed district. The City must initiate the preparation of a Neighborhood Conservation Plan within sixty (60) days of the Public Informational Meeting.

f. Upon completion of the proposed Neighborhood Conservation Plan, the Director of Community Development must schedule a public meeting for the purpose of informing property owners of the proposed draft. The Director of Community Development must send notice as indicated in Section 3-400C 5(d) above.

Article 4 Development and Design Standards

Section 4-100 Street Standards

D. Design Standards
2. Sidewalks
f. Permits: A permit issued by the Community Development Department shall be required for all sidewalk installations.

Section 4-800 Exterior Lighting Standards

H. Procedures

1. Plan Submission

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For subdivision and land-development applications where outdoor lighting is required or proposed, all lighting plans, lighting installations or other requests for approval of lighting fixtures pursuant to this Section shall be submitted in duplicate, in writing to, and a permit shall be obtained from, the Director of Community Development or his/her designative representative prior to installation.

Article 5 Subdivision Standards

Section 5-200 D Subdivision Types

1. Administrative Subdivisions

e. Deferral of underground placement of Public Utilities
An administrative deferral from immediate underground placement of Public Utilities, as required by these regulations, may be requested. The decision to grant the waiver shall be made by the Director of Community Development and City Engineer based on the following criteria:

(i) The subdivision is an in-fill project within an existing neighborhood where utility service is provided aerially rather than underground;

(ii) It would not be practicable to serve the new subdivision underground without also serving the neighboring uses.

f. Procedure for Approval
The procedures and requirements for submission and review of an application are established in the handout for Administrative Subdivisions available through the Community Development Department.

2. Minor Subdivisions

d. Procedure for Approval
The procedures and requirements for submission and review of an application are established in the handout for Minor Subdivisions available through the Community Development Department.

3. Major Subdivisions

a. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Major Subdivisions available through the Community Development Department.

4. Condominium Plat

d. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Condominium Plats, available through the Community Development Department. Additional requirements for condominium conversion are established in the handout, as may be amended from time to time.

G. Procedures and Requirements

1. Conceptual Plat
Any owner of land which is within the corporate limits of the City of Crystal Lake wishing to divide the same into building lots for the purpose of sale or assessment, or both, which will require following the Major Subdivision process can apply for a Conceptual Plat review by the Planning and Zoning Commission. Conceptual Plats shall not be reviewed by the City Council. Neither the Planning and Zoning Commission nor the applicant shall be required to provide a formal position statement on the proposal, and any position statements offered are not binding on either body. Submittal requirements are available in the handout outlining procedures and requirements for submission and review of conceptual subdivision plats, with the Director of Community Development.

2. Approval of Preliminary Plat
(i) The Director of Community Development shall initiate a review of the Preliminary Plat by City staff and forward recommendations to the Planning and Zoning Commission prior to their consideration of the Preliminary Plat.

(iv) The fee for filing preliminary plats shall be as specified in this Ordinance. Such fee shall be paid by the subdivider to the City of Crystal Lake at the time of filing the Preliminary Plat with the Director of Community Development.

3. Approval of Final Plat
(i) The Director of Community Development shall initiate a review of the Final Plat by City staff and forward recommendations to the Planning and Zoning Commission prior to their consideration of the Final Plat.

(vi) 4 prints and 1 reproducible (Mylar copy) of the Final Plat, after the plat is recorded, must be submitted prior to the issuance of any building permit within the subdivision and will be filed and retained in the offices of the City of Crystal Lake. Final plan, as-built plans and plat shall be submitted in electronic format compatible with City networks as specified in the handout available through the Community Development Department.

ARTICLE 7 Nonconformities

Section 7-400 Nonconformities upon Annexation

Upon submittal of all the information required above, or refusal to do the same by the owner/operator, the City shall schedule a public hearing on the matter before the Planning and

Zoning Commission on the next open agenda. Notice for the hearing shall be as provided for in Article 9. The Community Development Director shall cause to have prepared a staff report which shall be presented to the Planning and Zoning Commission. In making a recommendation on an amortization period, the Commission shall consider the staff report and recommendation

Article 9 Administration

Section 9-200 Specific Standards and Other Requirements for Applications for Development Approval

A. Required Submittals

6. Additional information and/or materials as determined to be necessary by the City of Crystal Lake to meet the goals and objectives of this Ordinance, as detailed in the relevant Development Application handouts available through the Community Development Department

B. Amendments

1. Application
Refer to the "Development Application - Map Amendments (Rezoning)" handout, available through the Community Development Department for specific explanations of submittal requirements and for review procedures.

C. Variations and Simplified Residential Variations

1. Application
Any property owner in the City of Crystal Lake may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance as it applies to his/her property. Refer to the "Development Application - Variations," or the "Simplified Residential Variation Application" handout, available through the Community Development Department, for specific explanations of submittal requirements and review procedures.

D. Special Use Permits
Refer to the "Development Application - Special Use Permits" handout, available through the Community Development Department for specific explanations of submittal requirements, and for review procedures

E. Planned Unit Development

1. Pre-application Conference
Before submitting required materials for a preliminary Planned Unit Development review, a pre-application meeting with the Director of Community Development or his/her assigned designee is recommended. The purpose of the meeting is to informally discuss the general concept of the proposed development, its effects on the surrounding area and the City as a whole, and the

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feasibility of utilizing City services. The meeting is advisory and is intended to allow both parties to express their concerns and reach mutual conclusions.

2. Conceptual PUD
Following the pre-application meeting, the petitioner has the option to appear before the Planning and Zoning Commission to informally discuss the initial concept for the proposal. Neither party shall be required to provide a formal position statement on the proposal, and the developer shall not be required to comply with any position statement offered by either party. Refer to the "Development Application - Planned Unit Developments" handout, available through the Community Development Department for specific explanations of submittal requirements, and for review procedures.

3. Application
Refer to the "Development Application - Planned Unit Developments" handout, available through the Community Development Department for specific explanations of submittal requirements, and for review procedures.

6. Report
Within 45 days, or as soon as agenda schedule permits, after all pertinent information has been received from the petitioner, and as necessary from the City Staff, the petition shall be placed on the Planning and Zoning Commission agenda. The Director of Community Development may require an earlier submittal date, if the proposed PUD is expected to require additional staff review time. Hearing/meeting dates shall not be established until all required submittals are received by the Director of Community Development. The Planning and Zoning Commission shall review the proposed petition and report its findings to the City Council as provided in this section.

F. Watershed Planned Unit Development

1. Application
Refer to the "Development Application - Watershed Planned Unit Developments" handout, available through the Community Development Department for specific explanations of submittal requirements, and for review procedures.

6. Report
Within 45 days, or as soon as agenda schedule permits, after all pertinent information has been received from the petitioner, and as necessary from the City Staff, the petition shall be placed on the Planning and Zoning Commission agenda. The Director of Community Development may require an earlier submittal date, if the proposed PUD is expected to require additional staff review time. Hearing/meeting dates shall not be established until all required submittals are received by the Director of Community Development. The Planning and Zoning Commission shall review the proposed petition and report its findings to the City Council as provided in this section.

G. Sign Variations

DRAFT

1. Application
Any sign owner in the City of Crystal Lake and/or their authorized representative may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance, as it applies to the proposed sign. Refer to the "Sign Variation Application" handout, available through the Community Development Department, for specific explanations of submittal requirements and review procedures.

Article 10, Definitions
INCLUSIONARY ZONING, INCOME ELIGIBLE FAMILIES: A family whose annual income qualifies the family to rent or purchase an inclusionary dwelling unit. For the purposes of this Ordinance, the Director of Community Development may designate a non-profit entity that provides housing as an income eligible family.

DRAFT

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

_____
MAYOR

ATTEST:

_____
CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Agenda Item: 26

City Council
Agenda Supplement

Meeting Date:	June 3, 2014
Item:	Crystal Lake Centennial Closing Event Budget and South William Street temporary street closure.
Staff Recommendation:	Motion to adopt a Resolution approving the proposed Centennial Closing Festival Budget in the amount of $12,000 and approving the street closure of South Williams Street between Brink Street and East Crystal Lake Avenue from Noon to 7:00 PM.
Staff Contact:	Eric Helm, Deputy City Manager

Background:

As the Council is well aware, the City of Crystal Lake is celebrating its Centennial in 2014 (September 23, 1914 to September 23, 2014). A City Centennial Committee was established to develop, support and implement the City's plan to commemorate Crystal Lake's Centennial. At the January 15, 2013 City Council meeting, the City Council accepted the recommendations of the Crystal Lake Centennial Committee's Final Report. The Final Report is the Centennial Committee's recommended plan for events and projects to commemorate the City's Centennial. Per the final report, the yearlong celebration included three signature events: Opening Festival (September 2013), Winter Festival (December 2013), and Closing Festival (September 2014).

As a result of the dedicated work of the Centennial Committee, it has begun organizing the Closing Event festivities. It is proposed that the closing festival occur on Sunday, September 14 from 2 PM – 6 PM. While the Committee is still finalizing the details of the event, a budget has been established. The event will include the following major elements:

- Closure of South William Street to accommodate a stage and musical bands.
- Strolling family entertainment / Time capsule presentation
- Musical Performances
- Cake to celebrate the City's Centennial

The Centennial Committee is working closely with the Downtown Association to ensure that the event is successful for both the event attendees and downtown area businesses.

Proposed Budget

Item	*Amount*	
Stage for in front of Raue Center	$	2,000.00
Portable Toilets	$	1,000.00
Cake & Refreshments	$	800.00
Volunteer Supplies	$	1,200.00
Marketing	$	1,000.00
Time Capsule Supplies	$	2,000.00
Entertainment/Attractions		
Balloon Artist	$	400.00
Magician	$	200.00
Juggler/Stilt walker	$	375.00
Face Painting	$	550.00
Kids hip hop dancing activity	$	250.00
Other miscellaneous entertainment	$	2,225.00
Total Expenditures	***$***	***12,000.00***

Funds have been budgeted in the proposed 2014/2015 budget for centennial activities.

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RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that a Centennial Closing Festival Budget in the amount of $12,000 is hereby approved along with the closure of South William Street between Brink Street and East Crystal Lake Avenue from Noon to 7 PM.

DATED this third day of June, 2014.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

_____

CITY CLERK

PASSED: _____

APPROVED: _____