



**#2017-46**

## **City of Crystal Lake**

### **Project Review for Planning and Zoning Commission**

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**Meeting Date:** December 6, 2017

**Zoning Requests:** Text Amendments from various provisions of the Unified Development Ordinance

**Staff Contacts:** Elizabeth Maxwell, 815-356-3605

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

#### **Discussion:**

The amendments to the UDO are attached to this report and are in Articles 1, 2, 3, 4, 7, 9, and 10. The changes are as follows:

##### Article 1

- Re-establishing the R-O Residential Office zoning district. The previous zoning ordinance had an R-O district which permitted both residential and home office type uses. The district was along Walkup Avenue south of Woodstock Street. Re-establishing this zoning district and allowing it along Walkup, some other locations near Downtown and near the Virginia Street Corridor, would help to provide the ultimate in flexibility for these properties, helping to preserve the original historical homes while allowing the limited mix of uses.
- Amending the B-4 zoning district to be more of a Mixed-Use zoning district.

##### Article 2

- Allow an EMC sign as a Special Use in the Estate zoning district provided the use meets the criteria. This would allow a Special Event Center, as defined in Article 10, to have an EMC sign if they are in the Estate zoning district. This change would allow for Beyond Stables commercial riding arena to request a Special Use Permit for an EMC sign.
- Create a list of uses under the R-O zoning district.

- Define and allow for Small Cell Wireless Facilities and Stealth Design Wireless Communication Antennas. Possible legislation is being considered that would require cities to allow small wireless facilities in certain zoning districts.
- Clarification of standards for massage requiring them to apply for a business license.
- Clarification of standards for Internet Auto Sales requiring the point of sale be listed as the City.

#### Article 3

- Amending all references to Corner Side Yard to Yard Abutting a Street.
- Establishment of R-O zoning district standards.

#### Article 4

- Added Virginia Street Corridor to properties that can reduce parking based on on-street parking.
- Revised the landscape requirements. The content is the same, but it is reorganized to be more understandable and concise.
- Adding text to allow a 4-foot high fence 5 feet from the property line in yards abutting a street. Recently several variations have been granted to allow fences in the side yards abutting streets. Applicants have requested the variations because of kids and dogs. Staff hopes the proposed change will help eliminate fence variations requests.
- Clarification of materials for fencing.
- Creating a standard for existing dwellings for infill development of accessory structures that they need to match the style and appearance of the principal structure. This provision already exists for new construction.
- Adding a requirement under utilities for the requirement to install overhead sewer systems. This will help prevent flooding backflow of sewage.

#### Article 7

- Amending a reference to corner side yard to yard abutting a street.

#### Article 9

- Replacement of language that was inadvertently deleted that requires the introductory hearing for a preliminary planned unit development.

#### Article 10

- The addition and clarification of numerous definitions.

#### Recommendation:

If PZC motions to approve these changes, the following changes to the UDO are recommended.

**PUBLIC NOTICE**

**BEFORE THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS  
IN THE MATTER OF THE PETITION OF City of Crystal Lake**

**LEGAL NOTICE**

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission for the purposes of seeking UDO Text Amendments to make various changes to the language of Article 1 Zoning Districts; Article 2 Land Use; Article 3 Density and Dimensional Standards; Article 4 Development and Design Standards including Sections 4-200 Off-Street Parking and Loading, 4-400 Landscape and Screening Standards, 4-600 Accessory Structures and uses, 4-700 Fences, Walls and Screening, 4-900 Design Standards, and 4-1000 Signs; Article 9 Administration, Article 10 Definitions and the Appendix.

A public hearing before the Planning and Zoning Commission on this request will be held at 7:30 p.m. on Wednesday, October 18, 2017, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person desiring to be heard may be present.

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

(Published in the Northwest Herald on October 3, 2017) 1463271

## Article 1

### Article 1 Zoning Districts

#### Section 1-300 Establishment of Districts.

A. Base districts. The City is hereby divided into **15** base zoning districts, as indicated below, necessary to achieve compatibility of uses and character within each district, consistent with the spirit and intent of the City's Comprehensive Plan.

|            |  |
|------------|--|
| E          | Estate   |
| RE         | Residential Estate                                       |
| R-1        | Single-Family  |
| R-2        | Single-Family  |
| R-3A       | Two-Family   |
| R-3B       | Multifamily  |
| <b>R-O</b> | <b>Residential Office</b>                                |
| O          | Office   |
| B-1        | Neighborhood Commercial                                  |
| B-2        | General Commercial                                       |
| B-4        | <del>Downtown</del> <b>Mixed-Use Business Commercial</b> |
| M-L        | Manufacturing Limited                                    |
| M          | Manufacturing  |
| W          | Watershed  |
| F          | Farming  |

#### Section 1-700 District Purposes.

##### **D. Residential Office District.**

- 1. General: The purpose of this district is to establish a shared residential and office area without creating unduly heavy vehicle traffic or noxious uses while continuing to promote stability of residential development and strengthen the economic base of the City. Contemplated areas for this zoning district are Walkup Road and areas surrounding the Virginia Street Corridor.**
- 2. Character: The district is characterized by single-family residential structures with interior and exterior conversions for a business use.**
- 3. Uses: This district is intended for a single-family use with full –time residential inhabitants with a first floor office use, which could include real estate, mortgage lender, lawyer, medical office, or other office use.**

**E. ~~D.~~ Office**

**F. ~~E.~~ Neighborhood Commercial**

**G. F. General Commercial**

**H. G. Downtown Mixed Use Business District.**

1. General: **The purpose of this district is to establish an area of controlled land use practices for commercial centers that promote a unique setting with links to amenities and transportation, which include a mix of commercial uses and high-density residential uses. Contemplated areas for this district include the City's Historic Downtown and Crystal Court shopping center redevelopment.**
2. Character: **The district is characterized by a town-center feel with a variety of uses including hotels and convention centers, recreation and entertainment uses, transportation stops, high-density residential, and commercial and service uses.**
3. Uses: **This district is intended for mixed-use areas. A live /work environment that supports retail, service, restaurant, office and residential uses. The projects can be vertically or horizontally integrated as a mixed use building. Also, sites can contain multiple stand-alone buildings, which provide for the integration of these uses.**

**ARTICLE 2**

Section 2-300 Permitted Uses Table

Table 2-300 Permitted Uses Table

|  | F | E | RE | R-1 | R-2 | R-3A | R-3B | R-O | O  | B-1 | B-2 | B-4 | M-L | M  | W  | Use Criteria           | Naics  |
|--|---|---|----|-----|-----|------|------|-----|----|-----|-----|-----|-----|----|----|------------------------|--------|
| <b>RESIDENTIAL</b>                           |   |   |    |     |     |      |      |     |    |     |     |     |     |    |    |                        |        |
| Single-Family detached dwelling              | P | P | P  | P   | P   | P    | P    | P   |    |     |     | S   |     |    | L  | 2-400 C-1              |        |
| Two-Family dwelling                          |   |   |    |     |     | P    | P    | P   |    |     |     |     |     |    |    | 2-400 C-1              |        |
| Home Occupations                             | L | L | L  | L   | L   | L    | L    | L   |    |     |     | L   |     |    | L  | 2-400 C-3              |        |
| Home Kitchen and Cottage Food Operation      | L | L | L  | L   | L   | L    | L    | L   | L  | L   | L   | L   | L   | L  | L  | <b>2-400 C-68</b>      |        |
| Nursing Care Facilities                      | S | S | S  | S   | S   | S    | S    | S   | S  |     |     |     |     |    |    | 2-400 C-5              | 623110 |
| Continuing Care Retirement Community         | S | S | S  | S   | S   | S    | S    | S   | S  |     |     |     |     |    |    | 2-400 C-5              | 623311 |
| Family Care                                  | L | L | L  | L   | L   | L    | L    | L   |    |     |     |     |     |    |    | 2-400 C-6              |        |
| <b>COMMERCIAL</b>                            |   |   |    |     |     |      |      |     |    |     |     |     |     |    |    |                        |        |
| Internet Auto Sales                          |   |   |    |     |     |      |      |     | PL | PL  | PL  | PL  | PL  | PL | PL | <b>2-400 C-70</b>      |        |
| Barber Shops                                 |   |   |    |     |     |      |      | P   | P  | P   | P   | P   |     |    |    |                        | 812111 |
| Beauty Salon                                 |   |   |    |     |     |      |      | P   | P  | P   | P   | P   |     |    |    |                        | 812112 |
| Diet and Weight Reducing Centers             |   |   |    |     |     |      |      | P   | P  | P   | P   | P   |     |    |    |                        | 812191 |
| Massage (Therapeutic) Establishments         |   |   |    |     |     |      |      | S   | S  |     | S   | S   |     |    |    | 2- <del>3</del> 400-65 |        |
| Tailor and Dressmaking Shop                  |   |   |    |     |     |      |      | P   |    | P   | P   | P   |     |    |    |                        |        |
| Photography Studio, Portrait                 |   |   |    |     |     |      |      | P   | P  | P   | P   | P   |     |    |    |                        | 541921 |
| Electronic Message Center (as accessory use) |   | S |    |     |     |      |      |     |    |     | L   |     |     |    |    | 2-400C-61              |        |
| Ball rooms, Dance, Banquet Halls             |   |   |    |     |     |      |      |     |    |     | P   | P   |     |    |    | 2-400C-25              |        |
| Batting Cages                                |   |   |    |     |     |      |      |     |    |     | L   | L   |     |    |    | 2-400C-26              |        |



|  |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |           |  |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|-----------|--|
| Stealth Designed Wireless Communication Antennas | L | L | L | L | L | L | L | L | L | L | L | L | L | L | L | 2-400C-71 |  |
| Small Wireless Facility                          |   |   |   |   |   |   |   |   |   | P | P | P | P | P |   |           |  |

Section 2-400C Limited and Special Use Criteria

61. Electronic message center (EMC) signs except gasoline electronic pricing signs. All electronic message center (EMC) signs, except gasoline electronic pricing signs, must comply with the following standards:

- a. Number permitted: One EMC Sign may be incorporated into any freestanding business sign on a property, provided that such freestanding sign would otherwise be permitted within the underlying Zoning District and subject to the following restrictions:
  - (i) Minimum width: The zoning lot upon which an EMC may be permitted must have a minimum of 200 contiguous lineal feet of frontage that must be located on Route 14 or Route 31.
  - (ii) Minimum area: The zoning lot upon which an EMC may be permitted must have a minimum of two acres of total lot area.
  - (iii) Maximum gross surface area: The maximum gross surface area of the EMC portion of any sign shall not exceed 32 square feet or 40% of the sign's total area; whichever is smaller. The EMC portion must occupy the bottom half of the sign. The maximum gross area of any sign within which an EMC sign is incorporated shall comply with the requirements for maximum gross surface area based on the underlying Zoning District and shall include the surface area of the EMC. The sign must be outside of the required setback and located on the middle third of the property.
  - (iv) Maximum height: The EMC sign, including any sign in which the EMC is incorporated, shall comply with the maximum height permitted for any sign based on the underlying Zoning District to which the property is located.
  - (v) Preexisting nonconforming signs: An EMC sign cannot be incorporated into a preexisting nonconforming sign.
  - (vi) Minimum design standards: The EMC sign shall meet all the following design conditions:
    - I. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;
    - II. All EMCs located on properties adjacent to residential uses must be extinguished from 11:00 p.m. until 7:00 a.m. This restriction shall apply regardless of the location of the EMC on the property;



- III. The message area of an EMC can be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs;
  - IV. The EMC unit must have the "flash" feature disabled and messages shall have a five-minute "hold" time except for time and temperature messaging which may have a shorter duration, but no less than one minute or separate the sign into two areas - one for the message and the other for the time and temperature;
  - V. The messages displayed on the EMC may only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages;
  - VI. Except as otherwise provided herein, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may not be displayed and this function of the EMC must be disabled;
  - VII. The EMC unit must be equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies, but such override authority for public emergencies shall not exceed 48 total hours within any two week period. The owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority; and
  - VIII. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
- (vii) A freestanding sign may have not more than two sign faces. Freestanding signs with more than one sign face must be designed to have the sign faces attached back to back to the support structure. No V-shaped freestanding EMC signs shall be permitted.
- (viii) EMC signs located within the Estate district are limited to Special Event Centers as defined in Article 10-200.**
- (ix)** The EMC unit shall otherwise comply with all other provisions of Section 4-1000 of the Crystal Lake Unified Development Ordinance ("Signs"), including, but not limited to, the prohibition of Off-Premise Signs.

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

- a. A floor plan, drawn to scale is required illustrating all the services/uses listed.
- b. A complete list of the names, residence addresses, with zip codes, and dates of birth of all licensed massage therapists engaged in massage at the massage establishment, as well as current copies of the licenses as issued by the State Department of Professional Regulation of all licensed massage therapists must be provided.

- c. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
- d. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
- e. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
- f. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.
- g. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 8:00 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. Prior to applying for a Special Use Permit, owner shall complete required Massage license application. The license shall be reviewed and approved prior to moving forward with the special use application.**
- k. 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.
- l. 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.
- m. Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.

**70. Internet Auto Sales. All Internet Auto Sales must comply with the following standards:**

- a. The city of Crystal Lake shall be designated as the point of sale for sales tax purposes.**
- b. No outdoor display or storage shall be permitted.**

**71. Stealth Designed Wireless Communication Antennas. All stealth designed wireless communication antennas must comply with the following standards:**

- a. Purpose and intent: The purpose of this section is to establish general standards for the siting of stealth designed wireless communication antennas. The intent is to:**
  - (i) Encourage users of antennas to configure them in a way that minimizes the adverse visual impact of the antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.**
  - (ii) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.**
  - (iii) Avoid potential visual affects to adjacent properties through engineering and careful siting of antenna structures.**
- b. Applicability.**
  - (i) Unless specified elsewhere in this Ordinance, all stealth wireless communication antennas in the City shall be subject to these standards.**
  - (ii) Stealth wireless communication antennas shall comply with the standards in this section as accessory uses.**
- c. Exemptions: The following shall be exempt from the standards of this section (but shall be required to comply with other relevant standards in this Ordinance):**
  - (i) A tower used by a public agency exclusively for police, fire, medical emergency services, E911 or other public emergency communications.**
  - (ii) Receive-only "dish" antennas with a diameter of 39 inches or less located in a residential district and 80 inches or less located in nonresidential districts, subject to the accessory use standards in this Ordinance.**
  - (iii) Antennas legally operated by FCC-licensed amateur radio operators.**
- d. Standards for stealth designed wireless communication antennas: Stealth designed wireless communication antennas, an accessory use, shall comply with the following standards:**
  - (i) Wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured or otherwise not readily apparent to a casual observer.**
  - (ii) Antennas must be located on or in structures already permitted within the zoning district for which it is located, such as steeples, water towners, crosses, streetlights, monuments and parapet walls. The antennas must be designed to blend in to the structure.**
  - (iii) The antennas must not increase the height of the structure to which it is mounted.**

## Article 3

### Section 3-200 Dimensional standards

#### A.

##### 1. Estate (E) Residential District.

|   |  |
|---|--|
| Minimum Lot Area: 130,680 square feet (3 acres)                               | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 250 feet   | Rear Setback for Detached Accessory Structure: 5 feet      |
| Minimum Front Setback: 50 feet  | Maximum Building Coverage: 15%                             |
| Minimum Interior Side Setback: 20 feet  | Maximum Impervious Surface Coverage: 25%                   |
| Combined Interior Side Setback: 40 feet                                       | Maximum Floor Area Ratio: 0.30                             |
| Minimum Rear Setback: 20 feet   | Maximum Height, Principal Structure: 30 feet and 2 stories |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 50 feet | Maximum Height, Accessory Structure: 25 feet and 2 stories |
| Yard Abutting Residential Districts: 0 feet                                   | Maximum Net Density (DU/Acre): 0.25                        |

##### 2. Residential Estate (RE) District.

|   |  |
|---|--|
| Minimum Lot Area: 20,000 square feet  | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 100 feet   | Rear Setback for Detached Accessory Structure: 5 feet      |
| Minimum Front Setback: 50 feet  | Maximum Building Coverage: 25%                             |
| Minimum Interior Side Setback: 10 feet  | Maximum Impervious Surface Coverage: 45%                   |
| Combined Interior Side Setback: 30 feet                                       | Maximum Floor Area Ratio: 0.50                             |
| Minimum Rear Setback: 20 feet   | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 50 feet | Maximum Height, Accessory Structure: 15 feet and 1 story   |
| Yard Abutting Residential Districts: 0 feet                                   | Maximum Net Density (DU/Acre): 1.75                        |

##### 3. Single-Family Residential (R-1) District.

|   |  |
|---|--|
| Minimum Lot Area: 10,000 square feet  | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 80 feet  | Rear Setback for Detached Accessory Structure: 5 feet      |
| Minimum Front Setback: 30 feet  | Maximum Building Coverage: 40%                             |
| Minimum Interior Side Setback: 8 feet   | Maximum Impervious Surface Coverage: 50%                   |
| Combined Interior Side Setback: 20 feet                                       | Maximum Floor Area Ratio: 0.80                             |
| Minimum Rear Setback: 20 feet   | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 30 feet | Maximum Height, Accessory Structure: 15 feet and 1 story   |
| Yard Abutting Residential Districts: 0 feet                                   | Maximum Net Density (DU/Acre): 3.50                        |

#### 4. Single-Family Residential (R-2) District.

|   |  |
|---|--|
| Minimum Lot Area: 8,400 square feet   | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 70 feet  | Rear Setback for Detached Accessory Structure: 5 feet      |
| Minimum Front Setback: 30 feet  | Maximum Building Coverage: 40%                             |
| Minimum Interior Side Setback: 7 feet   | Maximum Impervious Surface Coverage: 50%                   |
| Combined Interior Side Setback: 18 feet                                       | Maximum Floor Area Ratio: 0.80                             |
| Minimum Rear Setback: 20 feet   | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 30 feet | Maximum Height, Accessory Structure: 15 feet and 1 story   |
| Yard Abutting Residential Districts: 0 feet                                   | Maximum Net Density (DU/Acre): 4.15                        |

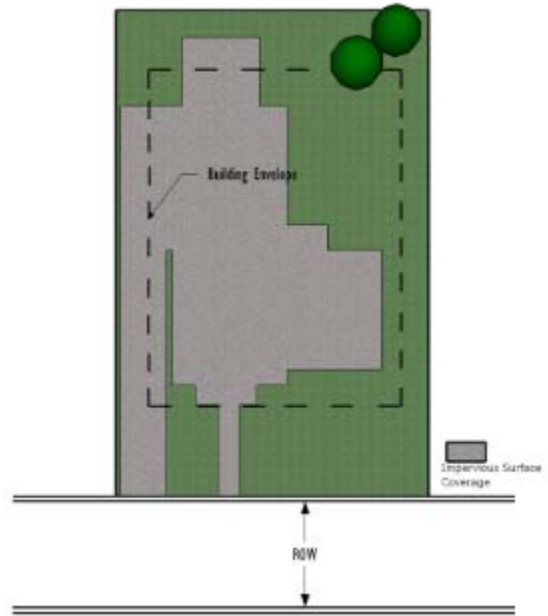
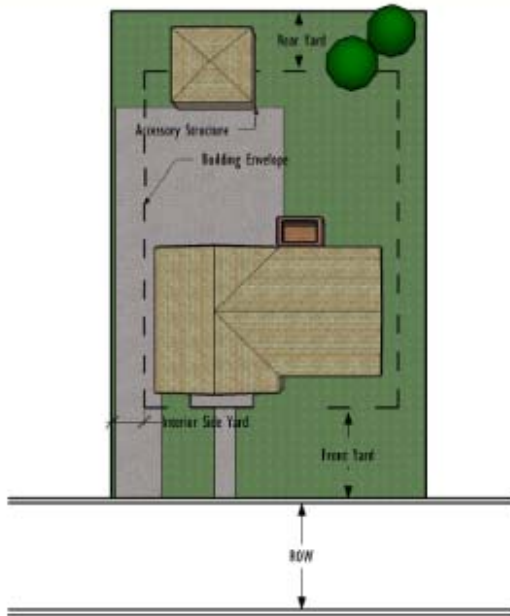
#### 5. Two-Family Residential (R-3A) District.

|  |  |
|--|--|
| Minimum Lot Area: 7,200 square feet for single-family (SFR); 11,000 square feet for two-family (TWO) | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 65 feet SFR, 75 feet TWO  | Rear Setback for Detached Accessory Structure: 5 feet      |
| Minimum Front Setback: 30 feet   | Maximum Building Coverage: 40%                             |
| Minimum Interior Side Setback: 7 feet  | Maximum Impervious Surface Coverage: 50% SFR, 60% TWO      |
| Combined Interior Side Setback: 18 feet  | Maximum Floor Area Ratio: 0.80                             |
| Minimum Rear Setback: 20 feet  | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 30 feet                        | Maximum Height, Accessory Structure: 15 feet and 1 story   |
| Yard Abutting Residential Districts: 0 feet  | Maximum Net Density (DU/Acre): 6.35                        |

#### 6. Multifamily Residential (R-3B) District.

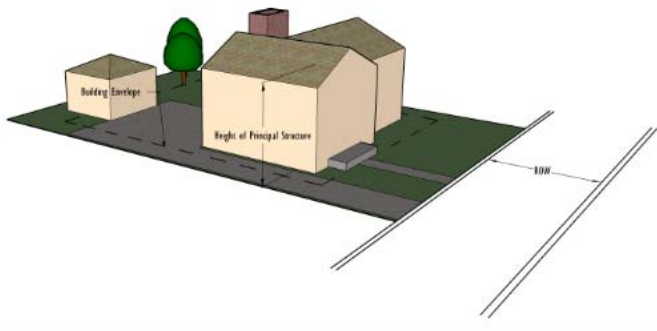
|  |   |
|--|---|
| Minimum Lot Area: 7,200 square feet for single-family (SFR); 5,400 square feet (1st unit) + 4,000 square feet (each additional unit) for multifamily (MULTI) | Side Setback for Detached Accessory Structure: 5 feet                         |
| Minimum Lot Width: 60 feet SFR, 60 feet (1st unit) + 10 feet (each additional unit) MULTI  | Rear Setback for Detached Accessory Structure: 5 feet                         |
| Minimum Front Setback: 30 feet   | Maximum Building Coverage: 40% SFR, 30% MULTI                                 |
| Minimum Interior Side Setback: 7 feet SFR, 8 feet MULTI  | Maximum Impervious Surface Coverage: 50% SFR, 65% MULTI                       |
| Combined Interior Side Setback: 18 feet SFR, 30 feet MULTI   | Maximum Floor Area Ratio: 0.80 SFR, 0.60 MULTI                                |
| Minimum Rear Setback: 20 feet  | Maximum Height, Principal Structure: 28 feet and 2 stories SFR; 36 feet MULTI |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 30 feet  | Maximum Height, Accessory Structure: 15 feet and 1 story                      |
| Yard Abutting Residential Districts: 50 feet MULTI   | Maximum Net Density (DU/Acre): 9.00   |

## 7. Residential Office (R-O) District.



|  |   |
|--|---|
| <b>Minimum Lot Area: 7,800 square feet</b>             | <b>Side Setback for Detached Accessory Structure: 5 feet</b>      |
| <b>Minimum Lot Width: 60 feet</b>                      | <b>Rear Setback for Detached Accessory Structure: 5 feet</b>      |
| <b>Minimum Front Setback: 30 feet</b>                  | <b>Maximum Building Coverage: 40%</b>                             |
| <b>Minimum Interior Side Setback: 7 feet</b>           | <b>Maximum Impervious Surface Coverage: 60%</b>                   |
| <b>Combined Interior Side Setback: 18 feet</b>         | <b>Maximum Floor Area Ratio: 1.0</b>                              |
| <b>Minimum Rear Setback: 20 feet</b>                   | <b>Maximum Height, Principal Structure: 28 feet and 2 stories</b> |
| <b>Minimum Yard Abutting a Street Setback: 20 feet</b> | <b>Maximum Height, Accessory Structure: 15 feet and 1 story</b>   |
| <b>Yard Abutting Residential Districts: 0 feet</b>     | <b>Maximum Net Density (DU/Acre): 6</b>                           |

Additional Development Standards that may apply:



|                                     |                                  |
|-------------------------------------|----------------------------------|
| Accessory Structures: Section 4-600 | Land Uses: Article 2             |
| Clear Sight Triangle: Section 4-100 | Outdoor Storage: Article 2       |
| Design Standards: Section 4-900     | Parking: Section 4-200           |
| Exterior Lighting: Section 4-800    | Setbacks: Article 3              |
| Fences: Section 4-700               | Signs: Section 4-1000            |
| Home Occupation: Article 2          | Temporary Uses: Article 2        |
| Landscaping: Section 4-400          | RV Parking: Section 4-200        |
| Tree Preservation: Section 4-300    | Height: Article 10 (Definitions) |

TABLE 3-200A - DIMENSIONAL STANDARDS FOR OTHER USES IN RESIDENTIAL DISTRICTS

| Use                                      | Minimum Lot Area | Minimum Lot Width | Required Setbacks |                    |                             |      |                                    |                                |                                    | Maximum Building Coverage | Maximum Impervious Coverage | FAR  | Height of Principal Structure | Height of Accessory Structures |
|--|------------------|-------------------|-------------------|--------------------|-----------------------------|------|------------------------------------|--------------------------------|------------------------------------|---------------------------|-----------------------------|------|-------------------------------|--------------------------------|
|  |                  |                   | Front Yard        | Interior Side Yard | Combined Interior Side Yard | Rear | Corner Side Yard Abutting a Street | Abutting Residential Districts | Side/Rear for Accessory Structures |                           |                             |      |                               |                                |
|  |                  |                   | Sq. Ft.           | Feet               | Feet                        | Feet | Feet                               | Feet                           | Feet                               |                           |                             |      |                               |                                |
| Estate (E) District                      |                  |                   |                   |                    |                             |      |                                    |                                |                                    |                           |                             |      |                               |                                |
| Other Uses                               | 130,680          | 250               | 50                | 20                 | 40                          | 40   | 50                                 | 50                             | 20/40                              | 15%                       | 25%                         | 0.30 | 40/3                          | 15/1                           |
| Residential Estate (RE) District         |                  |                   |                   |                    |                             |      |                                    |                                |                                    |                           |                             |      |                               |                                |
| Other Uses                               | 80,000           | 200               | 50                | 20                 | 50                          | 40   | 50                                 | 50                             | 20/40                              | 20%                       | 40%                         | 0.40 | 40/3                          | 15/1                           |
| Single-Family (R-1) Residential District |                  |                   |                   |                    |                             |      |                                    |                                |                                    |                           |                             |      |                               |                                |
| Other Uses                               | 40,000           | 150               | 30                | 10                 | 30                          | 20   | 30                                 | 50                             | 10/20                              | 20%                       | 40%                         | 0.40 | 40/3                          | 15/1                           |
| Single-Family (R-2) Residential District |                  |                   |                   |                    |                             |      |                                    |                                |                                    |                           |                             |      |                               |                                |
| Other Uses                               | 40,000           | 150               | 30                | 10                 | 30                          | 20   | 30                                 | 50                             | 10/20                              | 20%                       | 40%                         | 0.40 | 40/3                          | 15/1                           |
| Two-Family (R-3A) Residential District   |                  |                   |                   |                    |                             |      |                                    |                                |                                    |                           |                             |      |                               |                                |
| Other Uses                               | 40,000           | 150               | 30                | 10                 | 30                          | 20   | 30                                 | 50                             | 10/20                              | 20%                       | 40%                         | 0.40 | 40/3                          | 15/1                           |
| Multifamily (R-3B) Residential District  |                  |                   |                   |                    |                             |      |                                    |                                |                                    |                           |                             |      |                               |                                |
| Other Uses                               | 40,000           | 150               | 30                | 10                 | 30                          | 20   | 30                                 | 50                             | 10/20                              | 20%                       | 45%                         | 0.40 | 40/3                          | 15/1                           |

B.

1. Office (O) District.

|  |  |
|--|--|
| Minimum Lot Area: 20,000 square feet                               | Side Setback for Detached Accessory Structure: 10 feet     |
| Minimum Lot Width: 80 feet   | Rear Setback for Detached Accessory Structure: 20 feet     |
| Minimum Front Setback: 30 feet                                     | Maximum Building Coverage: 50%                             |
| Minimum Interior Side Setback: 10 feet                             | Maximum Impervious Surface Coverage: 65%                   |
| Combined Interior Side Setback: 20 feet                            | Maximum Floor Area Ratio: 1.0                              |
| Minimum Rear Setback: 20 feet                                      | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Minimum <b>Corner Side Yard Abutting a Street</b> Setback: 30 feet | Maximum Height, Accessory Structure: 15 feet and 1 story   |
| Yard Abutting Residential Districts: 50 feet                       |  |

2. Neighborhood Commercial (B-1) District.

|  |  |
|--|--|
| Minimum Lot Area: 10,000 square feet                               | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 50 feet   | Rear Setback for Detached Accessory Structure: 20 feet     |
| Minimum Front Setback: 30 feet                                     | Maximum Building Coverage: 50%                             |
| Minimum Interior Side Setback: 0 feet                              | Maximum Impervious Surface Coverage: 65%                   |
| Minimum Rear Setback: 20 feet                                      | Maximum Floor Area Ratio: 1.0                              |
| Minimum <b>Corner Side Yard Abutting a Street</b> Setback: 30 feet | Maximum Height, Principal Structure: 28 feet and 2 stories |

|  |  |
|--|--|
| Yard Abutting Residential Districts: 50 feet | Maximum Height, Accessory Structure: 15 feet and 1 story |
|--|--|

### 3. General Commercial (B-2) District.

|   |  |
|---|--|
| Minimum Lot Area: 20,000 square feet  | Side Setback for Detached Accessory Structure: 5 feet      |
| Minimum Lot Width: 100 feet   | Rear Setback for Detached Accessory Structure: 20 feet     |
| Minimum Front Setback: 30 feet  | Maximum Building Coverage: 50%                             |
| Minimum Interior Side Setback: 0 feet   | Maximum Impervious Surface Coverage: 65%                   |
| Minimum Rear Setback: 20 feet   | Maximum Floor Area Ratio: 1.5                              |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 30 feet | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Yard Abutting Residential Districts: 50 feet                                  | Maximum Height, Accessory Structure: 25 feet and 2 stories |

### 4. Downtown Mixed-Use Business (B-4) District.

|  |  |
|--|--|
| Minimum Lot Area: 5,000 square feet  | Side Setback for Detached Accessory Structure: 0 feet      |
| Minimum Lot Width: 50 feet   | Rear Setback for Detached Accessory Structure: 20 feet     |
| Minimum Front Setback: 0 feet  | Maximum Building Coverage: 70%                             |
| Minimum Interior Side Setback: 0 feet  | Maximum Impervious Surface Coverage: 95%                   |
| <del>Minimum Rear Setback: 20 feet</del><br><b>Minimum Rear Setback: 10 feet</b>                               | Maximum Floor Area Ratio: 1.5                              |
| Minimum <del>Corner Side</del> <b>Yard Abutting a Street</b> Setback: 0 feet                                   | Maximum Height, Principal Structure: 36 feet and 3 stories |
| <del>Yard Abutting Residential Districts: 50 feet</del><br><b>Yard Abutting Residential Districts: 10 feet</b> | Maximum Height, Accessory Structure: 25 feet and 2 stories |

Additional Development Standards that may apply:

|                                     |                                  |
|-------------------------------------|----------------------------------|
| Accessory Structures: Section 4-600 | Land Uses: Article 2             |
| Clear Sight Triangle: Section 4-100 | Outdoor Storage: Article 2       |
| Design Standards: Section 4-900     | Overlay Districts: Section 3-400 |
| Exterior Lighting: Section 4-800    | Parking: Section 4-200           |
| Fences: Section 4-700               | Setbacks: Article 3              |
| Height: Article 10 (Definitions)    | Signs: Section 4-1000            |
| Increased Setbacks: Section 3-300   | Temporary Uses: Article 2        |
| Landscaping: Section 4-400          | Tree Preservation: Section 4-300 |

### 5. Manufacturing Limited (M-L) District.

|                                      |  |
|--------------------------------------|--|
| Minimum Lot Area: 15,000 square feet | Side Setback for Detached Accessory Structure: 12 feet |
| Minimum Lot Width: 80 feet           | Rear Setback for Detached Accessory Structure: 20 feet |
| Minimum Front Setback: 30 feet       | Maximum Building Coverage: 50%                         |



|  |  |
|--|--|
| Minimum Interior Side Setback: 12 feet                                 | Maximum Impervious Surface Coverage: 65%                   |
| Combined Interior Side Setback: 24 feet                                | Maximum Floor Area Ratio: 1.0                              |
| Minimum Rear Setback: 20 feet  | Maximum Height, Principal Structure: 28 feet and 2 stories |
| Minimum <del>Corner</del> Side Yard Abutting a Street Setback: 30 feet | Maximum Height, Accessory Structure: 25 feet and 2 stories |
| Yard Abutting Residential Districts: 50 feet                           |  |

## 6. Manufacturing (M) District.

|  |  |
|--|--|
| Minimum Lot Area: 30,000 square feet                                   | Side Setback for Detached Accessory Structure: 15 feet     |
| Minimum Lot Width: 150 feet  | Rear Setback for Detached Accessory Structure: 20 feet     |
| Minimum Front Setback: 30 feet   | Maximum Building Coverage: 50%                             |
| Minimum Interior Side Setback: 15 feet                                 | Maximum Impervious Surface Coverage: 70%                   |
| Combined Interior Side Setback: 30 feet                                | Maximum Floor Area Ratio: 0.75                             |
| Minimum Rear Setback: 20 feet  | Maximum Height, Principal Structure: 45 feet and 3 stories |
| Minimum <del>Corner</del> Side Yard Abutting a Street Setback: 30 feet | Maximum Height, Accessory Structure: 25 feet and 2 stories |
| Yard Abutting Residential Districts: 50 feet                           |  |

## 7. Farming (F) District.

|  |  |
|--|--|
| Minimum Lot Area: 25 acres   | Side Setback for Detached Accessory Structure: 12 feet     |
| Minimum Lot Width: 100 feet  | Rear Setback for Detached Accessory Structure: 20 feet     |
| Minimum Front Setback: 30 feet   | Maximum Building Coverage: 5%                              |
| Minimum Interior Side Setback: 12 feet                                 | Maximum Impervious Surface Coverage: N.A.                  |
| Combined Interior Side Setback: 24 feet                                | Maximum Floor Area Ratio: 0.10                             |
| Minimum Rear Setback: 30 feet  | Maximum Height, Principal Structure: 25 feet and 3 stories |
| Minimum <del>Corner</del> Side Yard Abutting a Street Setback: 30 feet | Maximum Height, Accessory Structure: 60 feet and 3 stories |
| Yard Abutting Residential Districts: 50 feet                           |  |

## 8. Watershed (W) District.

Minimum Lot Area: Site Specific  
 Minimum Lot Width: Site Specific  
 Minimum Front Setback: Site Specific  
 Minimum Interior Side Setback: Site Specific  
 Combined Interior Side Setback: Site Specific  
 Minimum Rear Setback: Site Specific  
 Minimum ~~Corner~~ Side Yard Abutting a Street Setback: Site Specific  
 Yard Abutting Residential Districts: Site Specific  
 Side Setback for Detached Accessory Structure: Site Specific  
 Rear Setback for Detached Accessory Structure: Site Specific  
 Maximum Building Coverage: Site Specific  
 Maximum Impervious Surface Coverage: Site Specific

Maximum Floor Area Ratio: Site Specific  
Maximum Height, Principal Structure: Site Specific  
Maximum Height, Accessory Structure: Site Specific  
Maximum Number of Principal Structures: Site Specific

### Section 3-300 Measurements and exceptions

#### A. 3. Front setback. [Amended 1-18-2011 by Ord. No. 6641; 3-1-2016 by Ord. No. 7200]

Front setback is the minimum distance required between a proposed building and the front lot line.

Each lot shall have a minimum front setback as indicated in this article, except as provided below. For properties along the Crystal Lake waterfront, the front yard shall be on the water side. For a corner lot, the front is the narrowest side edge of the lot fronting on a street, irrespective of the orientation of the building toward either street. For a double-frontage lot, the front shall be along the street where a majority of the residences on the block are oriented.

Along principal highways, greater front setbacks\* are required in all districts:

- a. On Route 176, the setback shall be 40 feet, except that such setback shall be increased to 80 feet west of Route 14 and east of the Union Pacific McHenry Line;
- b. On Route 14, the setback shall be 40 feet, except that such setback shall be increased to 80 feet north of Route 176 or east of Main Street; and
- c. On Route 31 and Randall Road, the setback shall be 80 feet.

For residential properties only:

- a. Where the established dwellings on the same side of a block, or measuring a total distance of 400 feet from the lot in question, whichever is less, have an average setback that is 10 feet greater or less than the required setback, the setback for the lot in question shall be the average of the established dwellings.
- b. For lots abutting Crystal Lake, the front yard setback shall be calculated by measuring the setback of the established dwellings for a total distance of 400 feet from the lot in question and shall be the average of the established dwellings.

\* Greater setbacks along principal highways are also required for ~~corner-side yard abutting a street~~ setbacks.

A. 5. Rear setback.

Rear setback is the minimum distance required between a proposed building and the rear lot line. For properties along the Crystal Lake waterfront, the rear yard shall be on the street side and meet the requirements for a ~~corner-side yard abutting a street~~.

Each lot shall have a minimum rear yard as indicated in this article.

In nonresidential districts, where the rear of a lot adjoins an alley that has a width of not less than 10 feet, a rear yard adjustment to allow a deduction in the required rear yard, equal to the width of the alley is permitted. This reduction shall not exceed 15 feet.

A. 6. ~~Corner-side Yard Abutting a Street~~ setback. ~~Corner-side~~ **The yard abutting the street** setback is the minimum distance required between a proposed building and the ~~corner side yard abutting a street~~ lot line. Any ~~corner-side yard abutting a street~~ yard shall have a minimum width of not less than indicated in this article. Where a ~~corner-side yard abutting a street~~ setback is along a principal highway, greater setbacks as outlined in Section 3-300B-3 are required.

C. 2. Yard and building setback exceptions

b. **Commercial building** awnings and canopies, not to exceed three feet or as regulated by Section 4-1000, Signs, with the more restrictive regulation having effect.

e. Clothesline posts; however not permitted in required front setback or ~~corner-side yard abutting a street~~ setback.

f. Driveways and curbs, no closer than 1.5 feet running roughly parallel to interior side and ~~corner side yard abutting a street~~ yards.

i. Garbage disposal equipment shall not be permitted to be stored in the front and ~~corner-side yard~~ **yard abutting a street**. Trash containers serving nonresidential uses shall not be located abutting residential property. Refer to Section 4-700, Fences, walls and screening, for screening requirements.

3-400 Overlay district standards.

B. 7. D. Minimum ~~corner-side yard abutting a street~~ setback: five feet.

## Article 4

### Section 4-200 Off-Street Parking and Loading

B.

5. Parking in the Downtown District **and Virginia Street Corridor**. Special conditions exist in the Downtown District **and Virginia Street Corridor** of the City, due to the availability of on-street parking spaces and public off-street parking lots. These public facilities contribute to a reduced need for off-street parking spaces. Therefore, buildings, structures and all uses located in the ~~Downtown District~~ **these districts** are allowed a reduction in the required number of parking spaces to provide 70% of the required number of spaces for a similar new building or use. When unusual circumstances exist and meeting these provisions would constitute a hardship or make the redevelopment of properties in the ~~Downtown Business District~~ **these districts** economically impractical, the City will receive a cash contribution in lieu of on-site parking facilities. Value per parking space for this contribution will be calculated taking into consideration comparable land value, the cost of design, engineering, construction, lighting and landscaping. Funds received by the City in lieu of on-site parking facilities will be utilized to provide additional downtown parking facilities.

### Section 4-400 Landscaping and screening standards

E. General landscaping requirements

a. New Plantings

**(v) All landscape areas shall include living materials around the trees and shrubs including grasses, flowers and ground cover plants. No more than 10% of a landscape area can include non-living materials such as mulch or stone.**

~~(v)~~ **(vi)** In cases where a replacement.....

~~(vi)~~ **(vii)** In cases where application.....

~~(vii)~~ **(viii)** To curtail.....

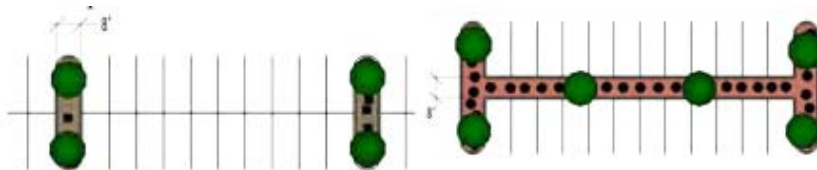
F. Site Landscaping

**1. Parking lots between 10 spaces and no more than 200 spaces require:**

**a. Interior landscape**

**(i) (1) 8-foot x 19-foot landscape island, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, every 10 parking spaces and at the ends of every parking row, or**

- (ii) A 5-foot wide continuous center landscape island, as measured between back of curbs, containing 1 canopy, ornamental or evergreen tree and 10 shrubs every 40 lineal feet and 8-foot x 19-foot landscape islands, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, at the ends of every parking row.
- (iii) Parallel parking spaces require an 8-foot x 8-foot landscape island, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, every 4 spaces and at the ends of every parking row.



**b. Perimeter landscape for parking lots abutting rights-of-way**

- (i) Continuous visual screen 15 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 10 shrubs, with shrubs planted at various heights averaging 3 feet in height, along every 40 lineal feet.
- (ii) For properties Downtown or in the Virginia Street Corridor a continuous visual screen averaging 10 feet in width, measured in 10-foot intervals with the minimum width being no less than 5 feet using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 10 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
- (iii) In both cases landscape strip is to be exclusive of sidewalks, public or municipal easements and not impact required sight lines.

**c. Perimeter landscape for parking lots not abutting rights-of-way**

- (i) Continuous visual screen 8 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 5 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
- (ii) For properties Downtown or in the Virginia Street Corridor a continuous visual screen 5 feet in width, measured in 10-foot intervals with the minimum width being no less than 5 feet using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 5 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
- (iii) Parking lots adjacent to residentially zoned properties shall provide a 6-foot solid screen either through berm, fence or evergreen plantings.

2. **Parking lots over 200 spaces require:**
  - a. **Interior landscape**
    - (i) **An 8-foot wide continuous center landscape island, as measured between back of curbs, between every 4 parking rows, containing 4 canopy, ornamental or evergreen trees and 20 shrubs every 40 lineal feet and 8-foot x 19-foot landscape islands, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, at the ends of every parking row, or**
    - (ii) **660 square-foot islands, containing 6 canopy, ornamental or evergreen trees and 30 shrubs, every increment of 40 parking spaces and at the ends of every parking row.**
  - b. **Perimeter landscape for parking lots abutting rights-of-way**
    - (i) **Continuous visual screen 15 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 10 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.**
    - (ii) **For every additional setback of 5 feet beyond the initial 20 feet required for the parking lot, an additional 2.5 feet of landscape width is required.**
    - (iii) **The landscape strip is to be exclusive of sidewalks, public or municipal easements and not impact required sight lines.**
  - c. **Perimeter landscape for parking lots not abutting rights-of-way**
    - (i) **Continuous visual screen 8 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 5 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.**
    - (ii) **Parking lots adjacent to residentially zoned properties shall provide a 6-foot solid screen either through berm, fence or evergreen plantings.**
3. **Parking Structures (no changes to this section)**
4. **Foundation landscaping**
  - a. **5-foot wide landscape area around all perimeters of buildings containing both deciduous and evergreen species of tree and shrubs providing an interesting visual pattern around the building.**
  - b. **Exceptions for 90 degree sidewalk connections to doors, drive-through lanes directly adjacent to the building, and single family and duplex buildings.**
  - c. **Properties in the Downtown and Virginia Street Corridor require special review on their ability to meet the requirement. Every effort should be made to meet the requirement while allowing for flexibility in areas with unique setbacks.**

1. ~~Parking lot landscaping, parking lots designed for at least 10 spaces and no more than 200 spaces.~~
  - a. ~~Interior landscaping.~~
    - (i) ~~Islands required: Landscaped parking islands shall be provided at both ends of parking rows. In addition, a minimum of one island is required for every 10 parking spaces in a row, for every increment of 10 spaces. Parking islands shall be at least eight feet in width as measured back of curb to back of curb and match the minimum stall depth. A permitted alternative is a continuous landscape island at least three feet in width as measured back of curb to back of curb between parking rows. Parking islands at the end of each parking row is required for both alternatives. For rows of parallel parking, islands shall be located at least every four parallel spaces in addition to parking islands at both ends of the parking row.~~
    - (ii) ~~Required planting: One shade tree shall be provided within each landscape island or for every 40 lineal feet of continuous island. Trees must have a clear trunk of at least six feet above the finished grade to allow for visibility and vehicular circulation below the tree canopy. In addition, five shrubs must be planted within each island or for every 40 lineal feet of continuous island. Vegetative ground cover shall be planted in all landscaped island areas.~~
  - b. ~~Perimeter landscaping abutting rights of way. Where parking lots are adjacent to a public or private street, the following shall apply:~~
    - (i) ~~Continuous visual screen. Perimeter landscaping for parking areas shall form a continuous visual screen, excluding required sight clearances at driveways. This landscaping shall be in undulating beds, with plantings at varying heights forming an interesting visual pattern.~~
    - (ii) ~~Minimum width. For development within the Downtown District and the Virginia Street Corridor Overlay, the minimum average width of the perimeter landscaping strip shall be 10 feet measured at ten-foot intervals, with the minimum width being no less than five feet. For development outside the Downtown District and the Virginia Street Corridor Overlay, the minimum width of the perimeter landscaping strip shall be 15 feet. In both cases, the landscaping strip is to be exclusive of sidewalks, public or municipal utility easements.~~
    - (iii) ~~Required planting. A screen comprising of evergreen and deciduous shrubs, a minimum three feet in height (at planting) shall be provided. This landscaping shall be in undulating beds, with plantings at varying heights forming an interesting visual pattern. A permissible alternative is to provide a berm, 2 1/2 feet high that seeded, sodded or planted with other ground cover. In addition, at least one tree for every 40 linear feet of parking lot adjacent to the right of way shall be provided within the landscaping strip. One third of these trees shall be shade trees at least 2 1/2 inches caliper size at planting, one third ornamental 2 1/2 inches caliper size at planting and one third shall be evergreen trees at least six feet tall at planting. These trees are in addition to the parkway trees requirement.~~
  - c. ~~Perimeter landscaping not abutting rights of way. Around the perimeter of the parking lot, not including the frontage abutting public rights of way, the following shall apply:~~
    - (i) ~~Minimum width. For development within the Downtown District and the Virginia Street Corridor Overlay, the minimum width of the landscaping strip shall be five feet. For development outside the Downtown District and the Virginia Street Corridor Overlay, the minimum width of the landscaping strip shall be eight feet.~~

- (ii) Required planting. At least one tree and five shrubs shall be provided for every 40 lineal feet of parking lot. Parking lots adjacent to residential properties must provide a screen of at least six foot high wall; berm, fence or evergreen landscaping (must be six feet at planting). When the residential area is across a public right-of-way from the parking lot, a minimum of three-foot high evergreens or shrubs shall be required.
2. Parking lot landscaping, parking lots designed for more than 200 spaces.
- a. Interior landscaping. A continuous landscape strip between every four rows of parking, minimum eight feet in width as measured back of curb to back of curb is required. A permitted alternative is to create large planting islands, at least 600 square feet in area to be located at the ends of parking rows and for every increment of 40 spaces. (i) Required planting. Four shade trees shall be provided within each landscape island or for every 40 lineal feet of continuous island. Trees must have a clear trunk at least six feet above the finished grade to allow for visibility and vehicular circulation below the tree canopy. In addition, 20 shrubs must be planted within each island or for every 40 lineal feet of continuous island. Vegetative ground cover shall be planted in all landscaped island areas.
  - b. Perimeter landscaping abutting rights-of-way. Where parking lots are adjacent to a public or private street, the following shall apply:
    - (i) Continuous visual screen. Perimeter landscaping for parking areas shall form a continuous visual screen, excluding required sight clearances at driveways. This landscaping shall be in undulating beds, with plantings at varying heights forming an interesting visual pattern.
    - (ii) Minimum width. The minimum width of the perimeter landscaping strip shall be 15 feet. Where parking lots are required to provide setbacks greater than 20 feet, due to greater depths of the lots (refer to Section 4-200, Off-street parking and loading), the minimum width of the perimeter landscaping strip shall be 20 feet. For every additional five feet of setback beyond 25 feet, 2 1/2 feet of additional landscaping strip depth (beyond 20 feet) shall be required.
    - (iii) Required planting. A screen comprising of evergreen and deciduous shrubs, a minimum three feet in height (at planting) shall be provided. This landscaping shall be in undulating beds, with plantings at varying heights forming an interesting visual pattern. A permissible alternative is to provide a berm, 2 1/2 feet high that seeded, sodded or planted with other ground cover. At least one tree for every 40 lineal feet of parking lot adjacent to the right-of-way shall be provided within the landscaping strip. One-third of these trees shall be shade trees at least 2 1/2 inches caliper size at planting, one-third ornamental 2 1/2 inches caliper size at planting and one-third shall be evergreen trees at least six feet tall at planting. These trees are in addition to the parkway trees requirement.
  - c. Perimeter landscaping not abutting rights-of-way. Around the perimeter of the parking lot, not including the frontage abutting public rights-of-way, the following shall apply:
    - (i) Minimum width. The minimum width of the landscaping strip shall be eight feet.
    - (ii) Required planting. At least one tree and five shrubs shall be provided for every 40 lineal feet of parking lot. In addition, parking lots adjacent to residential properties must provide a screen of at least six foot high wall; berm, fence or evergreen landscaping (must be six feet at planting). When the residential area is across a public right-of-way from the parking lot, a minimum of three-foot-high evergreens or shrubs shall be required.
3. Parking structures. Enclosed parking facilities require special landscaping considerations because they can significantly contribute to the building bulk on a site. These landscaping considerations



shall be incorporated at the design stage, to ensure that the structure can accommodate the weight of the landscaped areas, and provide for adequate watering, drainage, etc. The visual impact of such structures shall be reduced by implementing the following:

- a. Rooftop landscaping. Landscape islands and planting beds shall be incorporated into the rooftop levels of parking structures, wherever possible. Where landscape is provided on the rooftop, shade trees and shrubs shall be planted in landscaped islands that are at least eight feet wide measured back of curb to back of curb, at the end of each row of parking.
- b. Landscape setbacks. The perimeter of the lot on which parking structure is located shall meet the setback requirements referenced in Article 3, Density and Dimensional Standards, of this Ordinance.
- c. Planting required. Columnar parkway trees shall be provided surrounding all perimeters of the property for which the structure is located. A perimeter landscape area shall be provided at the foundation of all perimeters of the structure. The use of planting boxes and trellises shall be considered on the exterior parapet of parking structures.  
All the above landscaping applications will require special detailed designs developed to ensure proper drainage within the landscaped areas subject to staff review and approval.

4. ~~Foundation landscaping.~~

- a. ~~Applicability. Except for development in the Downtown Business and VSC Overlay District, a minimum five-foot-wide landscaping area shall be located around the perimeter of all buildings up to three stories or 36 feet in height. For every additional 12 feet in height, the width of the foundation planting area shall include one additional foot up to 20 feet in width. Any building or suite, which has a drive-through window, shall not be required to meet the foundation landscaping requirement on the side the drive-through is located. Every effort shall be made to meet the requirements on that side and then taper down to the window location. Single-family residences (attached and detached), duplexes and townhomes are exempt from this requirement~~
- b. ~~Location and composition. Foundation planting shall be provided along the entire length of all building facades except where sidewalks and driveways b. 4 provide access to the building or where fire department connections are necessary. The landscaping shall be a combination of ornamental trees, evergreens, shrubs, ground cover and flowers.~~

## Section 4-600 Accessory Structures and Uses

### B. General standards....

7. Are not located within five feet of a principal structure, **with the exception of flat work.**

### E. Location of accessory structures

1. Front yard and ~~corner side yard~~ **yard abutting a street**: Accessory structures are not permitted within the front yard and ~~corner side yard~~ **yard abutting a street** setback, with the following exceptions:

- a. For all residential uses: Signs (in compliance with Section 4-1000, Signs); fences, walls, hedges (in compliance with Section 4-700, Fences, Walls and Screening); mailboxes, flagpoles, play equipment permanently affixed to the wall of the principal structure; free-standing basketball hoops on poles, **flatwork**, and off-street parking areas for multi-family developments.

### F. Other regulations

**7. Accessory structures over 120 square feet shall utilize exterior siding materials of wood, cement board, vinyl siding, or other similar material and complement the residential character of the area.**

Section 4-700 Fences, Walls and Screening

B. General Standards

3. Height requirements for fences, walls and screening

a. Fences, walls or screening in any front yard ~~or yard abutting a street~~ shall not exceed three feet in height and meet the clear view provisions listed in Section 4-700B-4 below.

**b. Fences, walls or screening in any front yard or yard abutting a street shall not exceed four ~~three~~ feet in height, provided it is setback a minimum of five feet from the property line and meet the clear view provisions listed in Section 4-700B-4 below. This does not apply to properties that front on Crystal Lake.**

~~c.b.~~ Fences, walls or screening shall....

~~d.e.~~ Fences, walls or screening in.....

~~e.d.~~ Where required.....

**f. The height limitations shall apply to the fence, walls or screening and any other appurtenances attached to it. Height shall be measured vertically from grade to the ~~top of the improvement~~ highest most point of the fence panel and shall be determined on the property in which it is installed. Posts used specifically for supporting a fence may exceed the applicable height limit by a maximum of eight inches, ~~thus allowing~~ only if for ornamental treatment. To accommodate potential drainage conflicts and fluctuations in grade, the Building Commissioner may allow portions of a fence to exceed the applicable height limit by a maximum of six inches.**

5. Fence Materials:

a. Permitted fences. Fences shall only be constructed of the following materials:

- (i) Wood or simulated wood;
- (ii) Wrought iron or simulated wrought-iron;
- (iii) Decorative brick or stone;
- (iv) Masonry or stucco wall;
- (v) PVC; or
- (vi) Chainlink.

The Zoning Administrator may approve additional fence materials that are constructed with durable material in addition to the materials listed above.

b. *Prohibited fences.* The following fences are prohibited:

- (i) Chicken wire, barbed wire, welded mesh wire and electrically charged wire fences, except as permitted per 4-700B 2,
- (ii) Snow fences, except for exclusive control of snow between November 1 and March 31 and as authorized by the Building Commissioner for special events or construction sites.

- (iii) **Fences made of solid plywood, scrap lumber, temporary fencing and similar noncustomary materials.**
- (iv) **Fences on any portion of any public right-of-way, except fences erected by a governmental entity.**

Section 4-900 Design Standards

- C.
- 2.
- c. Garages
- (ii)

**(III) Detached garages shall be of the same style, appearance and building material of the dwelling.**

Section 4-1000 Signs

- D.

| Table 4-1000 D Single Family Residential Signs |              |                |               |  |  |
|--|--------------|----------------|---------------|--|--|
| Quantity                                       | Sign Type    | Size (sq. ft.) | Height (feet) | Notes  |  |
| 1 <sup>±</sup>                                 | Freestanding | ± 3            | 6             | <b>Home occupation, contractor, non-commercial content, etc.</b> |  |

4-1100 Public Utility Standards

- A. General Standards.
  - 1. Sanitary Sewer Standards.
    - a. General:
      - (i)
      - (ii)
      - (iii) **Overhead building sanitary sewer services are required for all new residential construction. Finished floor elevations of basements below 878.00 feet elevation above sea level, USGS datum, are prohibited unless overhead building sewer service is provided.**

7-200 Nonconforming recorded lot.

B. Nonconforming recorded lot regulations: A nonconforming recorded lot shall be subject to the following regulations:

1. (iv) ~~Corner-side~~ **Yard abutting a street** setback: The ~~corner-side yard abutting a street~~ setback shall not be less than 1) 70% of the required yard abutting street as listed in Article 3 of this Ordinance; or 2) Where the established dwellings on the same side of a block, or measuring a total distance of 400 feet from the lot in question, whichever is less, have an average setback that is 10 feet greater or less than the required setback, the setback for the lot in question shall be the average of the established dwellings. (Requirement also applies to yard abutting street.)

## ARTICLE 9

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

E Planned unit development.

**5. Introductory Planned Unit Development. Prior to the public hearing, the petition for a planned unit development shall be presented to the Planning and Zoning Commission. This meeting should be used to give an overview of the petition to familiarize the Planning and Zoning Commission members with the petition prior to the public hearing.**

**56.** Public hearing and notice. Upon receipt of a petition for a planned unit development, the Zoning Administrator shall schedule a public hearing before the Planning and Zoning Commission, allowing adequate time for proper notice. Notice shall be given as provided in Section 9-200L, Notice.

**67.** 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.

If the Planning and Zoning Commission fails to conclude the public hearing within 60 days from the date that the petition is scheduled for a public hearing, for whatever reason, the petitioner's request is assumed to be rejected, unless the time is specifically extended by a request from the petitioner. If the Planning and Zoning Commission fails to conclude the public hearing within the time allotted, the petition shall be forwarded to the City Council for action.

**78.** Recommendations. Within 45 days following the public hearing, excluding any continuation of such hearing or extensions requested by the petitioner, the Planning and Zoning Commission shall forward its recommendations to the City Council.

**89.** Conditions. The Planning and Zoning Commission may recommend and the City Council, in granting any planned unit development, may impose such conditions or restrictions as appear necessary to minimize possible detrimental effects of such special use upon other properties in the neighborhood.

**910.** Action by the Council. The City Council, upon receipt thereof, may adopt, with or without modification, reject or deny, the report and recommendations of the Planning and Zoning Commission, or may refer any matter back to the Planning and Zoning Commission for further consideration. In addition, any proposed planned unit development which receives a negative recommendation of 2/3 of all the appointed Planning and Zoning Commission members then

holding office as required by this Ordinance or which receives a unanimous negative vote of those present shall not be approved by the Mayor and the City Council except by a favorable vote of 2/3 of all the City Council members then holding office.

~~1011.~~ Failure to begin the final PUD process Approval of a preliminary PUD shall be valid for two years after approval by City Council. The City Council may, for good cause, approve an extension of the preliminary PUD. The City Council may grant ~~no more than three~~ one-year extensions.

~~112.~~ Failure to initiative a final PUD plan. Unless the petitioner, or a successor to the petitioner, has substantially completed construction of the public improvements and has commenced construction of the uses approved in the PUD, the PUD special use permit shall automatically lapse two years after the date of approval. The City Council, upon a written petition from the holder of the planned unit development, may for good cause extend for a period of up to one additional year the period for beginning the PUD. The City Council shall be entitled to grant ~~no more than three~~ one-year extensions, beyond the original expiration date for the PUD. If the PUD special use permit lapses, under the provisions of this section, the City shall remove the PUD from the Zoning Map and, if the basic zoning classification was approved at the time of approval of the PUD by the City Council, the basic zoning district shall continue in effect.

12. Amendment to a final PUD plan. For residential planned unit developments, when amending an approved final PUD plan, unless the homeowners' association, where one is present, is authorized to act on behalf of the entire development, every property owner within the PUD is required to consent to the amendment to the PUD.

13. Formal subdivision of parcels. Formal subdivision of parcels in a planned unit development will follow the following procedures.

a. Any parcel designated PUD at the time of adoption of this Ordinance, shall not be subdivided into two or more parts for purposes of sale, whether immediate or future, unless and until a final plat of subdivision has been approved by the City Council, as regulated by this Ordinance.

b. If a PUD designation is sought for a parcel and no preliminary PUD plans are concurrently presented for consideration, a preliminary plat of subdivision designating the separately zoned segments must be approved by the City Council before the zoning for each segment becomes effective. Rezoning shall follow procedures set forth in this article.

F Watershed planned unit development.

**5. Introductory Planned Unit Development. Prior to the public hearing, the petition for a planned unit development shall be presented to the Planning and Zoning Commission. This meeting should be used to give an overview of the petition to familiarize the Planning and Zoning Commission members with the petition prior to the public hearing.**

~~56.~~ Public hearing and notice. Upon receipt of a petition for a watershed planned unit development, the Zoning Administrator shall schedule a public hearing before the Planning and

Zoning Commission, allowing adequate time for proper notice. Notice shall be given as provided in Section 9-200L, Notice.

**67. 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.

If the Planning and Zoning Commission fails to conclude the public hearing within 60 days from the date that the petition is scheduled for a public hearing, for whatever reason, the petitioner's request is assumed to be rejected, unless the time is specifically extended by a request from the petitioner. If the Planning and Zoning Commission fails to conclude the public hearing within the time allotted, the petition shall be forwarded to the City Council for action

**78. Recommendations.** Within 45 days following the public hearing, excluding any continuation of such hearing or extensions requested by the petitioner, the Planning and Zoning Commission shall forward its recommendations to the City Council.

**89. Conditions.** The Planning and Zoning Commission may recommend and the City Council, in granting any watershed planned unit development, may impose such conditions or restrictions as appear necessary to minimize possible detrimental effects of such special use upon other properties in the neighborhood.

**910. Action by the Council.** The City Council, upon receipt thereof, may adopt, with or without modification, reject or deny, the report and recommendations of the Planning and Zoning Commission, or may refer any matter back to the Planning and Zoning Commission for further consideration. In addition, any proposed watershed planned unit development which receives a negative recommendation of 2/3 of all the appointed Planning and Zoning Commission members then holding office as required by this Ordinance or an unanimous negative vote of those present shall not be approved by the Mayor and the City Council except by a favorable vote of 2/3 of all the City Council members then holding office.

**1011. Failure to begin the preliminary PUD process.**

Approval of a Watershed PUD shall be valid for two years after approval by City Council. The City Council may, for good cause, approve an extension of the Watershed PUD. The City Council may grant ~~no more than three~~ one-year extensions.

If the Watershed PUD lapses, under the provisions of this section, the City shall remove the PUD from the Zoning Map and the property will remain classified in the W Watershed Zoning District.

~~4~~**12.** Changes to the approved Watershed PUD. Any deviations from the approved Watershed PUD plan may occur only as long as they meet the criteria listed in Section 4-500E. Substantive changes from the approved watershed PUD will require the approval of the City Council with recommendations from the Planning and Zoning Commission before a Preliminary PUD application can be submitted.



## ARTICLE 10

### Section 10-200 Definitions

#### A. General definitions

**FLATWORK** – Any installed improvement, such as, concrete, asphalt, pavers, decking, or similar, which is considered an accessory structure that does not exceed 12 inches above the natural pre-disturbed grade of the area.

#### B. Density and dimensional standards.

~~CORNER SIDE YARD ABUTTING A STREET LOT LINE~~ – The ~~corner side yard abutting a street~~ lot line is that boundary of a lot which is abutting public right-of-way that is not considered the front lot line.

~~CORNER SIDE YARD ABUTTING A STREET SETBACK~~ – **Yard abutting a street setback is the minimum distance, measured at right angles, from the yard abutting a street lot line to a line determined by the zoning district standard for the purposes of establishing a building envelope.** ~~Corner side setback is the minimum distance required between a proposed building and the corner side lot line.~~

~~CORNER SIDE YARD ABUTTING A STREET YARD~~ – The open space extending along the side lot line that abuts a street, between the front setback and rear lot line. For lakefront lots, the yard abutting a street **is the yard along a public right-of-way, or where no public right-of-way exists, along a private right-of-way, easement or access way.** ~~shall be treated as a corner side yard.~~

**FRONT LOT LINE** – **The narrowest boundary** ~~That boundary~~ of a lot which is along a public right-of-way, or where no public right-of-way exists, along a private right-of-way, easement or access way. Where a lot contains an easement for street purposes across the front of a lot, the edge of the easement shall be considered the front lot line.

**FRONT SETBACK** – **A distance, measured at right angles, from the front lot line to a line determined by the zoning district standard for the purposes of establishing a building envelope.** ~~The minimum distance required between a proposed building and the front lot line.~~

**FRONT YARD** – The open space extending across the full width of the zoning lot, between the front line of the lot and the nearest **building setback** line.

**INTERIOR SIDE SETBACK** – The minimum distance required between a ~~proposed building line~~ **determined by the zoning district standard for the purposes of establishing a building envelope** and the interior side lot line.

REAR YARD – The open space extending across the full width of the zoning lot, between the rear line or lines of the lot and **building setback** line.

#### E. Land Use

CONTINUING CARE RETIREMENT COMMUNITY – Comprises establishments primarily engaged in providing a range of residential and personal care services with **or without** on-site nursing facilities for (1) the elderly and other persons who are unable to fully care for themselves and/or (2) the elderly and other persons who do not desire to live independently. Individuals live in a variety of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living. Assisted-living facilities with on-site nursing care facilities are included in this industry.

INTERNET AUTO SALES – An automobile dealer which conducts business over the internet and does not have an outdoor display area. **A vehicle dealer is any person engaged in the business of selling or dealing in, on consignment or otherwise, five or more vehicles during the year, or who acts as an intermediary, agent or broker for any licensed dealer or vehicle purchaser, or who represents or advertises that he/she is engaged in or intends to engage in such a business.**

**RESTAURANT – An establishment where food items are prepared from scratch or assembled from raw or cooked product to be presented for consumption on site.**

**SMALL WIRELESS FACILITY - A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than 6 cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.**

**STEALTH WIRELESS – A wireless facility designed to minimize the visual impact of antennas through design, siting, landscape screening and innovative camouflage techniques, which is mounted on an existing building or existing facility such as utility pole, tornado siren, or antenna provided the height of the existing building or facility. Wireless Communication Towers and Small Wireless Facilities are not included in this definition.**

**WIRELESS COMMUNICATION TOWER - A tower which houses the electronic communications equipment along with an antenna to support cellular communication in a network. A wireless communication tower is an elevated structure with the antenna, transmitters and receivers located at the top.**

**SPECIAL EVENT CENTER – Any building or site that has as its principal purpose the operation of a facility for participatory or spectator sports or athletic activities, including but not limited to baseball stadiums, sports complexes and commercial stables.**

F. Signs

~~ELECTRONIC DISPLAY SIGN—Electronic displays are visual representation of text, graphics, and/or images through electronic means, either analog or digital, and whether by cathode ray tube, light emitting diode (LED), liquid crystal display (LCD), plasma, or any other electronic means.~~

ELECTRONIC MESSAGE CENTER SIGN — A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. Signs with alphabetic **or numeric** ~~pictographic, or symbolic~~ informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.