

ARTICLE 10

Definitions**SECTION 10-100. Rules of interpretation.**

The following rules shall apply for construing or interpreting the terms and provisions of this Ordinance.

- A. Meanings and intent. All provisions, terms, phrases, and expressions contained in this Ordinance shall be construed according to the general purposes set forth in the preamble, purpose and authority and the specific purpose statements set forth throughout this Ordinance. When a specific section of these regulations gives a different meaning than the general definition provided in this Article 10, Definitions, the specific section's meaning and application of the term shall control.
- B. Headings, illustrations, and text. In the event of a conflict or inconsistency between the text of this Ordinance and any heading, caption, figure, illustration, table, or map, the text shall control. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.
- C. Lists and examples. Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.
- D. Computation of time. The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the City. References to days are calendar days unless otherwise stated.
- E. References to other regulations/publications. Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.
- F. Delegation of authority. Any act authorized by this Ordinance to be carried out by a specific official of the City may be carried out by a professional-level designee of such official.
- G. Technical and nontechnical terms. Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- H. Public officials and agencies. All public officials, bodies, and agencies to which references are made are those of the City of Crystal Lake, unless otherwise indicated.

- I. Mandatory and discretionary terms. The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.
- J. Conjunctions. Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
 - 10-100
 - 1. "And" indicates that all connected items, conditions, provisions or events apply; and
 - 2. "Or" indicates that one or more of the connected items, conditions, provisions or events apply.
- K. Tenses, plurals, and gender. Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

SECTION 10-200. Definitions.

The following words, terms, and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section.

A. General definitions.

ACCESSORY STRUCTURE — A structure which is detached from a principal structure or principal building and located on the same zoning lot and customarily incidental to and subordinate to the principal structure or principal building, except as otherwise expressly authorized by provisions of this Code. **[Added 8-2-2016 by Ord. No. 7247¹]**

ACCESSORY USE — A use which is located on the same zoning lot as a principal use and customarily incidental to and subordinate to the principal use. **[Added 8-2-2016 by Ord. No. 7247]**

ATTACHED — A structure or series of structures that are connected, joined, share a common wall or are within five feet, to a principal structure or one another. This includes decks, sheds, gazebos, pools, etc., provided they are 12 inches or greater above grade. **[Added 8-2-2016 by Ord. No. 7247]**

BUILDING — Any structure, with substantial walls and roof, securely affixed to the land and entirely separated on all sides from any other structure, by space or by walls, in which there are no connecting doors, windows or openings; and which is designed or intended for the shelter, enclosure or protection of persons, animals or chattels. Any structure with interior areas, not normally accessible for human use, such as gas holders, oil tanks, water tanks, grain elevators, coal bunkers, oil cracking towers, and

¹. Editor's Note: This ordinance also repealed the former definition of "accessory structure and uses, accessory building or structure."

other similar structures, are not considered as buildings, but are classified as structures.

CARDHOLDER — A qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Illinois Department of Public Health pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/ 1 et seq.). **[Added 6-17-2014 by Ord. No. 7038]**

CARPORT — A roofed structure usually projecting from the side of a building, but may also be freestanding, which is missing one or more walls and would not be considered enclosed, which is used for storing motor vehicles, boats and trailers. **[Added 8-2-2016 by Ord. No. 7247]**

CORNER LOT — A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.

DESIGNATED CAREGIVER — A person who: **[Added 6-17-2014 by Ord. No. 7038]**

1. Is at least 21 years of age;
2. Has agreed to assist with a patient's medical use of cannabis;
3. Has not been convicted of an excluded offense; and
4. Assists no more than one registered qualifying patient with his or her medical use of cannabis.

DESIGN STANDARDS, BLOCK — A tract of land bounded by streets or, in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way, meandering shorelines of lakes, the center lines of other lakes and streams, or a corporate line of the City.

DETACHED — A structure or series of structures that are separate and share no common wall or access and are farther than five feet from a principal structure or any other structure. Structures less than 12 inches above grade are considered detached. **[Added 8-2-2016 by Ord. No. 7247]**

DISTRICT — A division of the geographic area of the City, as shown on the Zoning Map, within which the character and intensity of land use is regulated by the terms of this chapter. The terms "district," "use district," and "zone" are synonymous.

DWELLING — A building or portion thereof used exclusively for residential occupancy, including single-family attached, single-family detached, two-family and multifamily dwellings, but not including hotels and motels, dormitories and resorts. **[Amended by Ord. No. 6543]**

DWELLING UNIT — One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit. **[Amended by Ord. No. 6543]** **ENCLOSED** — To be closed in on all sides. **[Added 8-2-2016 by Ord. No. 7247]**

ENCLOSED, LOCKED FACILITY — A room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the |

registered cultivation center or the registered dispensing organization to cultivate, store and distribute cannabis for registered qualifying patients. [Added 6-17-2014 by Ord. No. 7038]

FENCES, WALLS AND SCREENING, FENCE — Any barrier structure, not part of a building or natural screening which is used as a boundary or as a means of protection, confinement, or screening. A fence may include vegetation or manufactured materials such as, but not limited to, wire mesh, chain link, wood, masonry, or stone.

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. [Added 12-11-2017 by Ord. No. 7419]

GARAGE — A building or indoor area for parking or storing motor vehicles, boats, trailers, and other personal belongings. A garage shall be fully enclosed. [Added 8-2-2016 by Ord. No. 7247]

GRAYWATER — The reuse of water drained from baths, showers, washing machines, and sinks (household wastewater excluding toilet wastes) for irrigation and other water conservation applications.

INTERIOR LOT — A lot other than a corner lot, through lot or reversed corner lot.

INTERNALLY ILLUMINATED SIGN — A sign illuminated by a light source internal to the sign enclosure which is not directly visible externally. For the purposes of Article 4, a neon-light sign is considered an internally illuminated sign.

LOT — ~~Unless the context indicates otherwise, all references in this Ordinance to a "lot", "lot of record", "property", "parcel" or "zoning lot" shall be deemed to mean a "zoning lot". The word "lot" when used alone shall mean a "zoning lot," unless the context of this Ordinance clearly indicates otherwise. The words "lot," "property," "parcel," and "zoning lot" are synonymous, unless the context of this Ordinance clearly indicates otherwise.~~ A lot is a distinct portion or piece of land and shall abut a public street or an approved private street. [Amended 8-2-2016 by Ord. No. 7247]

LOT OF RECORD. A lot that is part of a subdivision, the properly approved plat of which has been recorded in the office of the Recorder of Deeds of McHenry County Illinois, or a parcel of land separately described in a recorded deed.

Commented [DP1]: Is this accurate and do we want this here?

LOT, ZONING — A tract of land consisting of one or more lots of record under single fee title ownership located entirely within a block and occupied by or designated by its owner or developer at the time of filing for any zoning approval or building permit as a tract to be developed for a principal building and its accessory buildings, or a principal use, together with such open spaces and yards as are designed and arranged, or required under this Code, to be used with such building or use; provided, however, that no tract of land created in whole or in part as the result of any activity undertaken in violation of any, or without full compliance with all, provisions of this Code and other applicable state, county, and village laws, ordinances and regulations shall be used as a zoning lot. Notwithstanding the foregoing, sale of individual lots of record underlying individual dwelling units in a single-family attached dwelling, following issuance of a zoning certificate of occupancy for such dwelling, shall not prevent treatment of the tract of land underlying such dwelling as a zoning lot and all applicable bulk, space, yard and setback requirements shall be applied

with respect to such dwelling and such zoning lot rather than with respect to individually owned dwelling units and lots of record. **[Added 8-2-2016 by Ord. No. 7247]**

MAINTENANCE — The act of repair or replacement of a structure or piece of a structure to improve its condition. Maintenance shall be limited to two sections of fence, two rows of siding and two square of roof shingles. **[Added 8-2-2016 by Ord. No. 7247]**

MEDICAL CANNABIS CONTAINER — A sealed, traceable, food compliant, tamper resistant, tamper evident container or package used for the purpose of containment of medical cannabis from a cultivation center to a dispensing organization. **[Added 6-17-2014 by Ord. No. 7038]**

MEDICAL CANNABIS CULTIVATION CENTER ("CULTIVATION CENTER") — A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. **[Added 6-17-2014 by Ord. No. 7038]**

MEDICAL CANNABIS DISPENSING ORGANIZATION ("DISPENSING ORGANIZATION," "DISPENSARY ORGANIZATION," "MEDICAL CANNABIS DISPENSARY" OR "DISPENSARY") — A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. **[Added 6-17-2014 by Ord. No. 7038]**

MEDICAL CANNABIS INFUSED PRODUCT — Food, oils, ointments, or other products containing usable cannabis that are not smoked. **[Added 6-17-2014 by Ord. No. 7038]**

NONCONFORMITIES, ALTERATION — Any change, addition or modification in construction or occupancy of an existing structure.

NONCONFORMITIES, NONCONFORMING STRUCTURE — Any structure or building, which does not conform to the regulations of this chapter prescribing the floor area ratio, required yards setbacks, lot coverage, height, and required spacing between buildings.

NONCONFORMITIES, NONCONFORMING USE (LEGAL) — Any building or land lawfully occupied by a use lawfully established at the time of the adoption of this Ordinance or amendments thereof, which does not conform, after the passage of this Ordinance or amendments hereto, with the land use regulations of this Ordinance.

PRINCIPAL BUILDING OR STRUCTURE — A building or structure on a zoning lot intended to be utilized for a principal use. **[Added 8-2-2016 by Ord. No. 7247]**

PRINCIPAL USE — The use or, when expressly authorized by this Code, uses of a zoning lot, whether permitted or specially permitted, designated by the owner of such lot as the primary or main use or uses of such lot and to which any other use on such lot must be accessory. **[Added 8-2-2016 by Ord. No. 7247]**

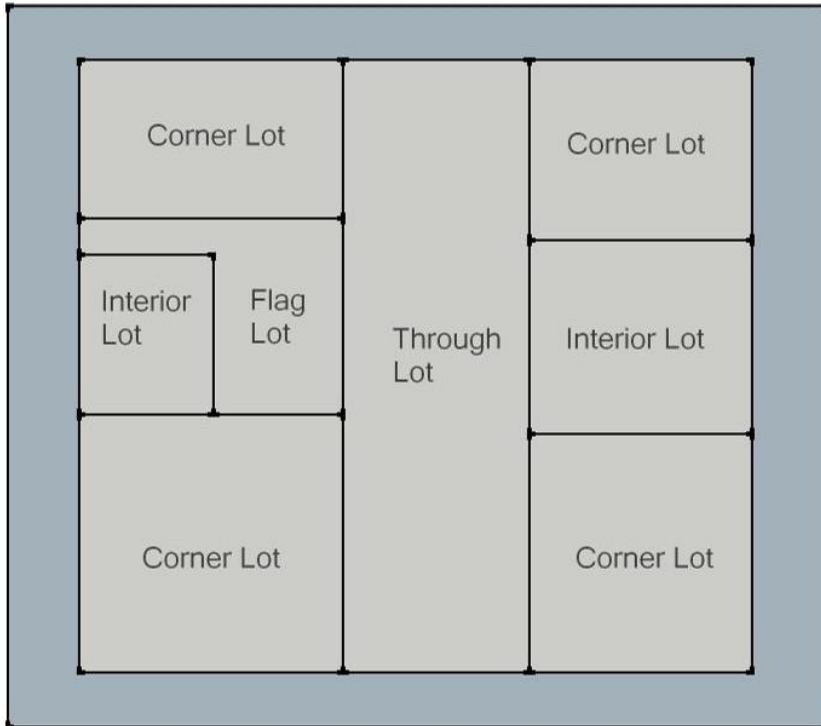
PUBLIC UTILITY — A private business or organization, whether or not regulated by the State of Illinois, which provides an essential service or commodity, such as water, electricity, transportation, cable or communication, to the consuming public.

RAINWATER HARVESTING — The process of intercepting stormwater runoff and putting it to beneficial use. Rainwater is usually collected or harvested from rooftops, concrete patios, driveways and other impervious surfaces. Buildings and landscapes can be designed to maximize the amount of catchment area, thereby increasing rainwater harvesting possibilities. Intercepted water then can be collected, detained, retained and routed for use in evaporative coolers, toilet flushing, pet and car washing, indoor-plant watering, pet and livestock watering, and for lawn and garden irrigation.

REMOTE STORAGE LOCATION FOR A REPOSSESSION AGENCY — A secured storage facility of a licensed repossession agency designated for the storage of collateral that is a secure building or has a perimeter that is secured with a fencing construction that makes the area not accessible to the public as defined in 225 ILCS 422, Collateral Recovery Act. **[Added 10-15-2013 by Ord. No. 6967]**

REPOSSESSION AGENCY — Any person or entity conducting business within the State of Illinois, that, for any type of consideration, engages in the business of, accepts employment to furnish, or agrees to provide or provides property locating services, property recovery, recovered property transportation, recovered property storage, or all services relevant to this use. **[Added 10-15-2013 by Ord. No. 6967]**

REVERSED CORNER LOT — A corner lot, the rear of which abuts upon the side of another lot, whether or not across an alley.



THROUGH LOT — A lot having frontage on two parallel or approximately parallel streets, and which is not a corner lot.

WATER'S EDGE — The earth bank, stone seawall, corrugated metal seawall or concrete seawall portion of the lot that faces the water of *Crystal Lake*.

XERISCAPING — Xeriscaping and xerogardening refers to landscaping and gardening in ways that reduce or eliminate the need for supplemental irrigation. Plants whose natural requirements are appropriate to the local climate are emphasized, and care is taken to avoid losing water to evaporation and run-off.

B. Density and dimensional standards. [Added 12-11-2017 by Ord. No. 7419] [Added 12-11-2017 by Ord. No. 7419]

BASEMENT — A story, partially or wholly, underground. If more than 1/2 of its height is above the average ground elevation, then a basement shall be counted as a story for purposes of height measurement.

BUILDING COVERAGE — Building coverage is the area of a lot or parcel occupied by the principal building together with all accessory buildings.

BUILDING ENVELOPE — The space on a zoning lot remaining after the minimum yard requirements of this chapter have been met.

BUILDING HEIGHT — The vertical distance measured from the curb level, or its equivalent established grade, opposite the middle of the front of the building to the highest point of the roof in the case of a flat roof; to the deckline of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof; excluding elevator or mechanical equipment rooms; and provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building. For all nonresidential structures, where the overall vertical grade of the area occupied by the footprint of the building varies more than three feet, the height of the building shall be measured from the average of all grade elevations of the building. For properties abutting Crystal Lake, building height shall be measured from the street side. **[Amended 11-19-2013 by Ord. No. 6972]**

BUILDING LINE/BUILDING SETBACK LINE — A line or lines on the horizontal surface of a lot, parallel or nearly parallel to the front, side, and rear lot lines, and located at a distance prescribed by the yard regulations and beyond which no portion of a building may extend as provided by this Ordinance.

CORNER SIDE 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 street shall be treated as a corner side yard.

CURB LEVEL — The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the curb level shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the center line of the street pavement shall be the curb level.

FLOOR AREA — The floor area of a nonresidential structure, when taken as a principal use, is the total usable horizontal area enclosed by exterior walls of a building, exclusive of basement, cellars, attics and crawl spaces. The floor area of a residence, when taken as a principal use, is the total horizontal area of living space enclosed by the exterior walls measured at the outside of such exterior walls, including partitions, closets, bath and utility rooms and the lower level of a tri-level structure but not including unfinished cellars, basements, attics, garages, breezeways,

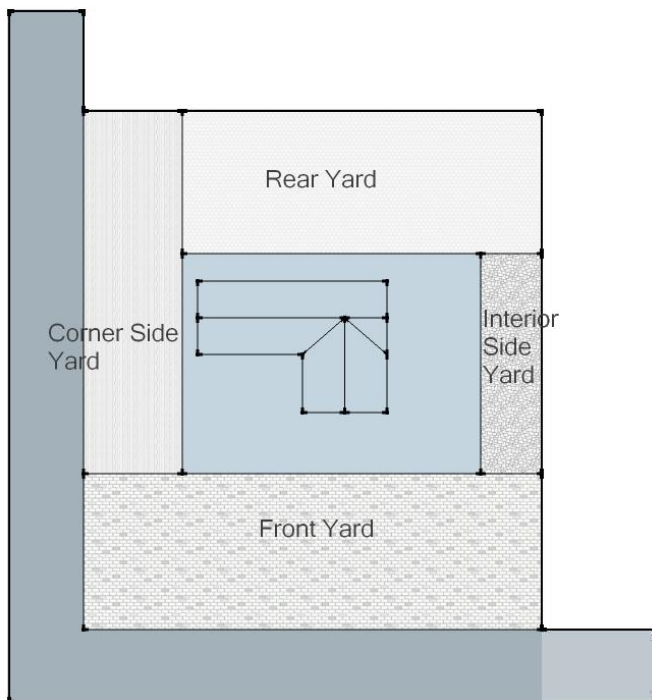
porches, patios and other spaces not used ordinarily for living, eating and sleeping purposes. Unfinished areas above the ground floor living spaces shall be included, provided that subflooring is laid, insulation installed, and windows and stairways are installed as required by City ordinances and codes

FRONT LOT LINE — The narrowest 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 ~~accessway~~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. Where a lot abuts a front Crystal Lake, the lot line at the water's edge is to be the front lot line. **[Amended 12-11-2017 by Ord. No. 7419]**

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. **[Amended 12-11-2017 by Ord. No. 7419]**

FRONT YARD — The open space extending across the full width of the zoning lot, between the front line of the lot and the nearest setback line. **[Amended 12-11-2017 by Ord. No. 7419]**

9. Editor's Note: The definitions of "corner side lot line" and "corner side setback," which immediately followed this definition, were repealed 12-11-2017 by Ord. No. 7419.



HALF STORY — That portion of a building under a gable, hip or mansard roof, the wall plates of which are not more than 4 1/2 feet above the finished floor of such story. In the case of single-family dwellings, two-family dwellings and multiple-family dwellings less than three full stories in height, a half story in a sloping roof shall not be counted as a story for the purpose of this chapter. In the case of multiple-family dwellings, three or more full stories in height, a half story shall be counted as an additional story.

IMPERVIOUS SURFACE COVERAGE — The area of a lot or parcel occupied by any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to buildings, patios, paved parking and driveway areas, walkways, sidewalks and paved recreation areas (e.g. basketball court, tennis court, swimming pools).

To determine the percentage of impervious surface covered, divide the total square footage of the impervious surfaces by the total square footage of the site: Impervious Surfaces/Total Area of Site = % Impervious Surface Coverage

INTERIOR SIDE LOT LINE — That boundary of a lot, other than a front or rear property line which does not abut a public or private right-of-way, but is a common property line between adjoining lots.

INTERIOR SIDE SETBACK — The minimum distance required between a line determined by the zoning district standard for the purposes of establishing a building envelope and the interior side lot line. **[Amended 12-11-2017 by Ord. No. 7419]**

INTERIOR SIDE YARD — The open space extending along the interior side lot lines between the front and rear yards.

LOT LINE. The boundary line of a lot which denotes the edge of the subject property.

LOT AREA — The amount of land area, included within the lines of a lot. Lands located within any private easements are included within the lot area measurement.

LOT WIDTH — The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line. In established neighborhoods where the front building setback line is determined either as an average setback of the two closest dwellings or the block average, the lot width is measured not at the calculated front setback line, but at the front building setback line for each zoning district as established in this article. For lots along an inside curve (for a cul-de-sac or curved streets), lot width is measured along the chord of the setback arc where it intersects the side lot line for lots along the inside curve. For lots on the outside curve, lot width is measured along a line tangent to the midpoint of the setback projected to the side lot line.

~~**PROPERTY LINE** — The boundary line between two pieces of property which denotes the edge of the subject property.~~

REAR LOT LINE — That boundary (or boundaries) of a lot which is most nearly parallel to and most remote from the front 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 setback line. **[Amended 12-11-2017 by Ord. No. 7419]**

STORY — That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and ceiling above it. Any basement or cellar with more than 1/2 of its height above the average level of the adjoining ground at the front of the building shall be considered a story for purposes for both height and area measurements.

YARD ABUTTING A STREET — The yard abutting a street lot line is that boundary of a lot which is abutting the public right-of-way that is not considered the front lot line. **[Added 12-11-2017 by Ord. No. 7419]**

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.

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.

C.Exterior lighting.

ABANDONMENT — Discontinuance in the usage of a lighting installation, or portion thereof, with no intention to resume the usage of such lighting. A lighting installation or portion thereof, that has not been operated for a period of 24 months or longer, shall be considered to be abandoned.

ARCHITECTURAL LIGHTING — Outdoor lighting directed at buildings, facades, structures and other architectural features, in a manner that highlights special features only without lighting expansive wall planes or creates hot spots on walls or roof planes.

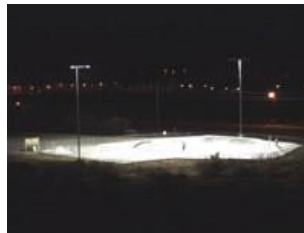
[Amended 1-18-2011 by Ord. No. 6641]

COMMERCIAL LIGHTING ZONE — Any zoning lot in any zoning district that does not have as its primary use a single-family residential dwelling, a two-family residential dwelling, or land in the F Farming district which is used for the purpose of farming.

DIRECTIONALLY SHIELDED — A luminaire which uses shielding, lenses, or other means to provide a distinct focused beam of emitted light.

FOOTCANDLE — A unit of measure of luminous flux.

FULL-CUTOFF LUMINAIRE — A luminaire having a light distribution (excluding incidental reflection from poles, mounting brackets, and other supporting structures), as determined by photometric test and certified by the manufacturer, such that no light is emitted at or above an angle of 90° above nadir in any direction and the luminous flux emitted in the band between 80° and 90° above nadir in all directions is no more than 10% of the total luminous flux for the luminaire. A luminaire that meets the Illumination Engineering Society of North America (IESNA) full-cutoff definition shall be considered full cutoff for the purposes of this Ordinance.²



Sports facility NOT using full-cutoff luminaires Sports facility USING full-cutoff luminaires

². Editor's Note: The definition of "glare," which immediately followed this definition, was repealed 3-1-2016 by Ord. No. 7200.

HID LIGHTING — A high-intensity discharge family of lighting that includes highpressure sodium, fluorescent, mercury vapor, and metal halide type bulbs.

IESNA — Illumination Engineering Society of North America.

ILLUMINANCE — The amount of luminous flux falling onto a unit of surface area, correlating to the perception of brightness by the human eye. Illuminance is typically measured in lumens per square foot (footcandles) or lumens per square meter (lux).

INSTALLED HEIGHT — The height above grade of the lowest point on an installed luminaire.

LAMP — The source of light being emitted from a luminaire, such as a bulb.

LANDSCAPE LIGHTING — Outdoor lighting directed at trees, shrubs, plants, flower beds, fountains, gardens, and other natural or landscaped features.

LIGHT — Electromagnetic radiation within a range of wavelengths sufficient for visual perception by the normal unaided human eye.

LIGHT LEVEL — The illuminance as measured in accordance with the practices contained in the IESNA Lighting Handbook, Eighth Edition. **LIGHT OUTPUT** — Luminous flux (see definition for "luminous flux").

LIGHTING INSTALLATION — An arrangement of one or more luminaires, including any mounting hardware, brackets, and supporting structures.

LUMEN — A unit of measure of luminous flux. For the purposes of this Ordinance, "lumens" denotes initial lumens for HID lighting applications.

LUMINAIRE — An individual lighting assembly, including the lamp and any housings, reflectors, globes, lenses, shields or other components designed to block or distribute light. For the purposes of Article 4, an internally illuminated sign is not considered a luminaire.

LUMINOUS FLUX — The power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light. Luminous flux is measured in lumens (or lux) and is typically specified by the manufacturer for a given lamp or luminaire. Typical luminous flux values for incandescent bulbs are 100W: 1550 lumens, 75W: 1080 lumens, 60W: 780 lumens, and 40W: 450 lumens.

MOTION-ACTIVATED SENSOR — A sensor which causes a luminaire to become illuminated automatically upon the presence of motion or infrared radiation or a combination thereof within its field of view.

NADIR — The direction pointing directly downward from the light source of the luminaire that originates from a horizontal plane at the lowest point on the luminaire.

NEON LIGHT — Brightly colored light generated by using electric current to excite a gas or gas mixture (including neon, argon, helium, or other gases) typically contained in a tube which can be bent into various forms for use as decoration or signs. For the purposes of Article 4, fluorescent tubes are not considered neon light.

ORGANIZED SPORTING EVENT — A prearranged sports or recreational event involving at least one group or team with a published roster and schedule.

OUTDOOR LIGHTING — Light generated from an indoor or outdoor source that provides illumination to a surface, building, sign, structure, device, or other outdoor feature which is visible to an observer located outdoors. For the purposes of this Ordinance, the light source inside an internally illuminated sign is not considered outdoor lighting.

PLAYING FIELD — An open outdoor field or court used for playing sports such as baseball, soccer, football, tennis, volleyball, and basketball.

RESIDENTIAL LIGHTING ZONE — Any zoning lot in a residential or agricultural zoning district that has as its primary use a single-family residential dwelling or a twofamily residential dwelling, as defined in Article 1.

SEARCHLIGHT — A lighting installation designed to project a high-intensity beam of approximately parallel rays of light that is typically used to sweep the sky for promotional purposes.

STREET LIGHTING — One or more luminaires or light installations designed to illuminate a public roadway or intersection.

UPLIGHTING — Lighting applications which direct light above a horizontal plane.

VISIBLE LIGHT — See "light."

D. Inclusionary zoning.

AREA MEDIAN INCOME (AMI) — The median annual income figures, adjusted for family size, calculated annually by the U.S. Department of Housing and Urban Development (HUD) for the Chicago-Naperville-Joliet, IL HUD Metro FMR area, which includes the City of Crystal Lake.

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 nonprofit entity that provides housing as an income eligible family. **[Amended 6-3-2014 by Ord. No. 7034]**

OTHER RESIDENTIAL OCCUPANCY — Those residential arrangements other than rental or owner-occupied, including, but not limited to, continuing care contracts, agreements known as "life leases," "continuum of care agreements," or any other agreement whereby the resident of the dwelling makes some payment other than or in addition to a periodic occupancy payment, but does not obtain a fee title to a residential unit.

E. Land use.

ADULT ARCADE — Any place to which the public is permitted or invited wherein coin operated or slug-operated or electronically, electrically or mechanically controlled still or motion-picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE, ADULT NOVELTY STORE OR ADULT VIDEO STORE — A commercial establishment which has a substantial or significant portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains

a substantial portion of its sales or display space for the sale or rental, for any form of consideration, of any one of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, videocassettes, compact discs, slides or other visual representations which are characterized by their emphasis on the exhibition or display of specified sexual activities or specified anatomical areas.
2. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

ADULT CABARET — A club, nightclub, bar, restaurant or similar commercial establishment that regularly features:

1. Persons or employees who appear in a state of nudity or semi-nudity; or
2. Live performances by persons or employees that are characterized by the exposure of specified anatomical areas or by specified sexual activities; or
3. Films, motion pictures, video cassettes, slides or other photographic reproductions that are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT MOTEL — A hotel, motel, or similar commercial establishment which offers accommodations to the public for any form of consideration; provides patrons with ~~closed-circuit~~**closed-circuit** television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the exhibition or display of specified sexual activities or specified anatomical areas; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproduction; and that either:

1. Offers a sleeping room for rent for a period of time that is less than 10 hours; or
2. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.

ADULT MOTION-PICTURE THEATER — A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown that are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT THEATER — A theater, concert hall, auditorium or similar commercial establishment which regularly features persons or employees who appear, in person, in a state of nudity or semi-nudity, or live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities.

ADULT USES — Any one of or combination of the following uses: adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, adult establishment, seminude model studio, sexual encounter center, sexually oriented business.

ALL OTHER CONSUMER GOODS RENTAL — Establishments primarily engaged in renting consumer goods and products (except consumer electronics and appliances; formal wear and costumes; prerecorded video tapes and discs for home electronic equipment; home health

furniture and equipment; and recreational goods). Included in this industry are furniture rental centers and party rental supply centers.

ALL OTHER HEALTH AND PERSONAL CARE STORES — Establishments primarily engaged in retailing health and personal care items (except drugs, medicines, optical goods, perfumes, cosmetics, and beauty supplies). Examples include convalescent supply stores, prosthetic stores, food (i.e., health) supplement stores, sick room supply stores and hearing aid stores.

ALL OTHER HOME FURNISHINGS STORE — Establishments primarily engaged in retailing new home furnishings (except floor coverings, furniture, and window treatments) including bath shops, kitchenware stores, chinaware stores, linen stores, electric lamp shops, picture frame stores, glassware stores, wood-burning stove stores and houseware stores.

AMUSEMENT ARCADE — Establishments primarily engaged in operating amusement (except gambling, billiard, or pool) arcades and parlors. Examples include, electronic game arcades, family fun centers, indoor play areas, pinball arcades, video game arcades (except gambling).

ANCILLARY SALES — Sales to walk-in customers of businesses that are permitted or specially permitted in the O Office, M-L Manufacturing Limited or M Manufacturing Zoning Districts and which do not exceed 15% of said businesses' total sales per year. **[Added 8-2-2016 by Ord. No. 7247]**

ANTIQUÉ MALL — A building that is partitioned to provide spaces for the retail sale of antiques by antique dealers of articles of which have value and significance as a result of age, design, or sentiment. This definition excludes "used merchandise store," "consignment store" "junk store," "pawnshop" and "flea market." **[Added 11-19-2013 by Ord. No. 6972]**

ANTIQUÉ OR COLLECTIBLE STORE — A retail store that sells antiques, curios, gifts and souvenirs and collectible items, including sports cards and comic books which have value and significance as a result of age, design, or sentiment. A store that primarily sells books is included under "bookstore." This definition excludes "used merchandise store," "consignment store" "junk store," "pawnshop" and "flea market." **[Amended 11-19-2013 by Ord. No. 6972]**

APPLIANCE REPAIR AND MAINTENANCE — Establishments primarily engaged in repairing and servicing household appliances without retailing new appliances, such as refrigerators, stoves, washing machines, clothes dryers, and room air-conditioners.

ARTS AND CRAFTS SHOW — The activity of offering for sale arts and crafts by means of announcing or advertising an "arts," "crafts," or "hobbies" show, bazaar or festival, all of which are synonymous, or by any other means intended to communicate that the sale is an occasional,

casual event offering the sale of personally crafted property. An arts and crafts show shall only be conducted by an individual possessing a valid arts and crafts permit issued by the City of Crystal Lake. Arts and crafts shall include physical objects which are made by or as if by hand, and which require manual dexterity and artistic skill. Items such as jewelry, paintings, needlepoint, knitting, crochet, dolls, furniture, woodworking (e.g., carvings, etchings), sculptures, ceramics, toys, clothing, photography, scale models and similar items as determined by the Director of Community Development shall be considered as "arts and crafts" objects. **[Added 7-7-2009 by Ord. No. 6475; amended 6-3-2014 by Ord. No. 7034]**

AUTOMOBILE DEALERS — Automobile dealers shall include all-terrain vehicle (ATV), motorized bicycle shops, motor scooters, motorbike, motorcycle, wheeled or tracked offroad all-terrain vehicles (ATVs) and used motorcycle dealers.

AUTOMOBILE REPAIR, MAJOR — Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service including body, frame or fender straightening or repair; and overall painting of vehicles.

AUTOMOBILE REPAIR, MINOR — Includes routine service and maintenance work and minor repairs such as engine tune-ups, brake and transmission adjustments, wheel alignments and balancing, and similar maintenance procedures.

AUTOMOTIVE PARTS, ACCESSORIES AND TIRE SALES — Automotive parts, accessories and tire stores comprises one or more of the following: (1) establishments known as "automotive supply stores" primarily engaged in retailing new, used, and/or rebuilt automotive parts and accessories; (2) automotive supply stores that are primarily engaged in both retailing automotive parts and accessories and repairing automobiles; and (3) establishments primarily engaged in retailing and installing automotive accessories. Examples include automotive parts and supply stores, truck cap stores, automotive stereo stores, used automotive parts stores, speed shops, etc.

CAFETERIAS, GRILL BUFFETS AND BUFFETS — Establishments primarily engaged in preparing and serving meals for immediate consumption using cafeteria-style or buffet serving equipment, such as steam tables, refrigerated areas, display grills, and self-service nonalcoholic beverage dispensing equipment. Patrons select from food and drink items on display in a continuous cafeteria line or from buffet stations.

CAMERA AND PHOTOGRAPHIC SUPPLIES STORE — Comprises establishments primarily engaged in either retailing new cameras, photographic equipment, and photographic supplies or retailing new cameras and photographic equipment in combination with activities, such as repair services and film developing.

CAR WASHES — Car washes shall include full service and automatic and self-service and nonautomatic car washes, are establishments featuring a car wash system where vehicles are manually driven through a wash cycle, or washed manually using a wand or other hose. Incidental interior cleaning and exterior drying are performed by vehicle operator. This type of car wash does not have an on-site attendant and there is no gasoline, oil or other merchandise for sale. Full-service and automatic car washes An establishment featuring a conveyor system to move vehicles through the wash cycle. This type of car wash may include sales of gasoline, oil and other vehicle related merchandise. On-site attendants are required. Building size is limited by lot size, parking requirements, building and landscape setbacks or other site characteristics.

CATERERS — Establishments primarily engaged in providing single event-based food services. These establishments generally have equipment and vehicles to transport meals and snacks to events and/or prepare food at an off-premise site. Banquet halls with catering staff are included in this industry. Examples of events catered by establishments in this industry are graduation parties, wedding receptions, business or retirement luncheons, and trade shows.

COMMERCIAL CHILD DAY-CARE CENTER — A state-licensed child-care facility providing care, protection and supervision for children under the age of 12 for less than 24 hours a day.

COMMUNITY FOOD SERVICES — Comprises establishments primarily engaged in the collection, preparation, and delivery of food for the needy. Establishments may also distribute clothing and blankets to the poor. These establishments may prepare and deliver meals to persons who by reason of age, disability, or illness are unable to prepare meals for themselves; collect and distribute salvageable or donated food; or prepare and provide meals at fixed or mobile locations. Food banks, meal delivery programs, and soup kitchens are included in this industry.

CONSIGNMENT STORE — An exclusively indoor retail establishment whose primary service is to receive a new or used retail product from a second party who entrusts the establishment to reimburse the second party, or trustee, upon the sale of the consigned retail product. **[Added 11-19-2013 by Ord. No. 6972]**

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. **[Amended 12-11-2017 by Ord. No. 7419]**

CONVENIENCE STORE — A retail establishment, offering for sale merchandise such as preprocessed food, prepackaged food products, household items, and other goods that are commonly associated with a grocery store and having a gross floor area of less than 5,000 square feet.

DIET AND WEIGHT REDUCING CENTERS — Establishments primarily engaged in providing nonmedical services to assist clients in attaining or maintaining a desired weight. The sale of weight reduction products, such as food supplements, may be an integral component of the program. These services typically include individual or group counseling, menu and exercise planning, and weight and body measurement monitoring.

DRINKING PLACES (ALCOHOLIC BEVERAGES) — Establishments known as bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide limited food services.

ELECTRIC VEHICLE CHARGING STATION — A device or station that provides power to charge the batteries of an electric vehicle. **[Added 3-1-2016 by Ord. No. 7200]**

FAMILY —

1. One of the following:
 - a. One or more persons related by blood, marriage or legal adoption (including foster children) together with not more than two domestic servants living as a single not-for-profit housekeeping unit occupying a dwelling unit.
 - b. Two or fewer persons not related by blood, marriage or legal adoption together with their children (including foster children) together with not more than two domestic servants living as a single not-for-profit housekeeping unit occupying a dwelling unit.

- c. Not more than five adult persons who are not necessarily related to each other by blood, marriage or legal adoption living as a single not-for-profit housekeeping unit occupying a dwelling unit.
2. For purposes of this Ordinance, "single not-for-profit housekeeping unit" shall mean the joint occupancy and use of the entire dwelling unit and the facilities therein with the exception of bedrooms by all of the residents. A single nNot-for-profit housekeeping unit shall further be defined ~~dictates that the costs shall include be related to the proportionate share of rent/mortgage, utilities, and other shared household expenses and not paying for services provided to residents including, but not limited to medical care, supervision, or transportation.~~
3. Frequent gatherings hosted by a professional or outside volunteer such as; therapy sessions or counseling sessions, shall constitute a business use and not a Family.
- 3-4. See Chapter 302, Housing Code, of the Code of Ordinances of the City of Crystal Lake for standards for occupancy of a residential dwelling unit.

FAMILY CARE I — A nonmedical facility operated by an individual or sponsoring entity or sponsoring agency which is licensed or certified by or registered with ~~by the State and, if required by law,~~ retains a valid license at all times wherein individuals are provided room, board, protective supervision and counseling to ~~for the housing of~~ no more than eight unrelated persons (inclusive of any residential staff) other than a Family, who, due to advanced age, handicap, impairment due to chronic illness or status as a minor who is unable to live with parents or guardians reside together ~~—, require assistance and/or supervision, and who reside together in a family type environment as a single housekeeping unit.~~ Excluded from the definition of family care facilities are Residential Mental Health and Substance Abuse Facilities and Nursing Care, ~~homes in which residents are criminal offenders or past criminal offenders. Excluded from this definition are persons whose disability arises from current use or addiction to a controlled substance as this term is used in the U.S. Code and Illinois Statutes.~~

FAMILY CARE II — A nonmedical facility operated by a sponsoring agency which is licensed or certified by or registered with the State and, if required by law, ~~retains a valid license at all times wherein individuals are provided room, board, protective supervision and counseling to no more than twelve (12) unrelated persons (inclusive of any residential staff) other than a Family, who, due to advanced age, handicap, impairment due to chronic illness or status as a minor who is unable to live with parents or guardians~~ reside together. Excluded from the definition of family care facilities are Residential Mental Health and Substance Abuse Facilities and Nursing Care.

FARM — Land used for agricultural purposes including agriculture, floriculture, forestry, greenhouses, horticulture, nurseries, and orchards.

FARMHOUSE — Any single-family residence associated with a farm.

FLEA MARKET — Any person or aggregation, congregation or assembly of vendors, whether professional or nonprofessional, that offers for sale, trade or barter any goods,

regardless whether they are new, used, antique or handmade; and where offered for sale in open air areas, buildings or temporary structures. **[Added 11-19-2013 by Ord. No. 6972]**

FULL-SERVICE RESTAURANTS — Establishments primarily engaged in providing food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. These establishments may provide this type of food service to patrons in combination with selling alcoholic beverages, providing carry out services, or presenting live nontheatrical entertainment.

GENERAL RENTAL CENTERS — Establishments primarily engaged in renting a range of consumer, commercial, and industrial equipment. Establishments in this industry typically operate from conveniently located facilities where they maintain inventories of goods and equipment that they rent for short periods of time. The type of equipment that establishments in this industry provide often includes, but is not limited to: audio visual equipment, contractors' and builders' tools and equipment, home repair tools, lawn and garden equipment, moving equipment and supplies, and party and banquet equipment and supplies.

~~**GROUP DWELLINGS** — A nonmedical facility containing permanent accommodations in which there are common dining facilities for more than five persons, other than a family, such as boarding houses, congregate care facilities, dormitories, fraternity and sorority houses, convents, monasteries. Excluded from the definition of group dwelling are homes in which residents are criminal offenders or past criminal offenders. Excluded from this definition are hospitals, nursing homes, homes for aged or detoxification centers.~~

HEALTH CLUBS — A facility designed for the major purpose of physical fitness which may include, but is not limited to, such equipment as weight resistance machines, running and jogging, game courts, swimming facilities, saunas, showers, and lockers. Such facility shall be entirely enclosed, except for accessory outdoor athletic fields, normal and customary accessory uses, and parking. Instruction programs, aerobic classes, and weight control programs may be offered.

~~**HOME AND GARDEN EQUIPMENT REPAIR AND MAINTENANCE** —~~ Establishments primarily engaged in repairing and servicing home and garden equipment without retailing new home and garden equipment, such as lawnmowers, handheld power tools, edgers, snow- and leaf-blowers, and trimmers.

~~**HOME CARE PROFESSIONAL** — A health care professional hired by the occupant of any residence to provide therapy, medicine, or assistance with daily needs at the occupant's home for any period of time.~~

HOME DAY CARE — An owner-occupied residence where care, protection and supervision are provided for less than 24 hours a day for more than three children, but not to exceed eight children, under the age of 12. The total number of children shall include the family's biological and/or adopted children under the age of 12.

HOME OCCUPATIONS — A business, profession, occupation, or activity which is conducted wholly within a residential dwelling unit or accessory buildings, by a resident of the dwelling, and is incidental and secondary to the residential use of the lot and which does not adversely and/or perceptively affect the character of the lot or surrounding area.

HOTELS AND MOTELS — Hotel and motel are to be considered synonymous uses. A hotel or motel means a building or a group of buildings in which more than five rooms or suites for sleeping accommodations are offered to the public and intended primarily for rental for

temporary occupancy by persons on an overnight basis, not including bed-and-breakfast establishments or a rooming house. Such uses may include microwaves and refrigerators for each guest unit.

INDUSTRIAL

HEAVY INDUSTRIAL – The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute “light industrial”. Heavy industrial generally includes processing and fabrication of large or bulky products made from extracted or raw materials or products involving flammable or explosive materials and processes that require extensive floor areas or land areas for the fabrication and/or incidental storage of the products.

LIGHT INDUSTRIAL – The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards inside or outside of the building or lot where such assembly, fabrication, or processing takes place. Light industrial generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas.

Commented [EMA2]: Added definitions for light and heavy industrial

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. **[Added 3-1-2016 by Ord. No. 7200; amended 12-11-2017 by Ord. No. 7419]**

JUNK STORE — A retail store that sells previously used merchandise or goods the majority of which: **[Added 11-19-2013 by Ord. No. 6972]**

1. Have not been maintained, repaired, restored or reconditioned to a functional condition; or
2. Consist of salvaged or disassembled parts of merchandise, equipment or objects no longer in their original assembled configuration.

This definition excludes "used merchandise store," "consignment store" "antique store or antique mall," "pawnshop" and "flea market."

LIMITED-SERVICE RESTAURANTS — Establishments primarily engaged in providing food services (except snack and nonalcoholic beverage bars) where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to the customer's location. Some establishments in this industry may provide these food services in combination with selling alcoholic beverages. Examples include: delicatessen restaurants, pizza delivery shops, family restaurants, limited-service takeout eating places, fast-food restaurants, takeout sandwich shops and limited-service pizza parlors.

LODGE/MEMBERSHIP CLUB — A building, lot or other tract of land owned, leased, or used by a not-for-profit association of persons, who are bona fide members, paying dues to the association, and operated for the use and enjoyment of the association.

MANUFACTURED HOUSING — A parcel of land (or assemblies of parcels) under single ownership or management which is operated as a business engaged in providing a place where manufactured or mobile homes are installed for non-transient living or sleeping purposes and where sites or lots are set aside or offered for lease or rent for use by manufactured homes or mobile homes for living or sleeping purposes, including any land, building, structure or facilities used by occupants of manufactured or mobile homes on such premises. Accessory uses to mobile home parks include caretaker quarters, laundry facilities, and facilities for parks and recreation.

MASSAGE — 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. **[Added 6-3-2014 by Ord. No. 7034]**

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 ILCS 57/1 et seq., as it may be amended from time to time, to engage in the practice of massage. **[Added 6-3-2014 by Ord. No. 7034]**

MASSAGE THERAPIST — Any person who, for consideration or gratuity whatsoever, engages in the practice of massage as defined herein. **[Added 6-3-2014 by Ord. No. 7034]**

MOBILE VENDOR — 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. **[Added 6-3-2014 by Ord. No. 7034]**

MULTIFAMILY — A residential building, other than single-family attached dwellings, that contain three or more dwelling units each for occupancy by a family with the units often stacked one above the other in a vertical configuration, sharing common vertical walls and/or horizontal floors and ceilings.

NURSING CARE FACILITIES — ~~Commercial~~ establishments primarily engaged in providing inpatient nursing and rehabilitative services. The care is generally provided for an

extended period of time to individuals requiring nursing care. These establishments have a permanent core staff of registered or licensed practical nurses who, along with other staff, provide nursing and continuous personal care services. Examples include convalescent homes or convalescent hospitals (except psychiatric), nursing homes, homes for the elderly or aged with nursing care, rest homes, retirement homes with nursing care, inpatient care hospices, etc.

OTHER BUILDING MATERIAL DEALER — Establishments (except those known as home centers, paint and wallpaper stores, and hardware stores) primarily engaged in retailing specialized lines of new building materials, such as lumber, fencing, glass, doors, plumbing fixtures and supplies, electrical supplies, prefabricated buildings and kits, and kitchen and bath cabinets and countertops to be installed. Examples include electrical supply stores, kitchen cabinet (except custom) stores, fencing dealers, lumber yards, retail floor covering stores, plumbing supply stores, garage door dealers, prefabricated building dealers and glass stores.

OTHER PERSONAL CARE SERVICES — Establishments primarily engaged in providing personal services (except personal care services, death care services, dry cleaning and laundry services, pet care services, photofinishing services, or parking space and/or valet parking services). Examples include: Astrology services, baby shoe bronzing services, bail bonding services, balloon-o-gram services, blood pressure testing machine, bondsperson services, bootblack parlors, check room services, coin-operated personal service machine (e.g., blood pressure, locker, photographic, scale, shoeshine), concession operators, comfort station operation, concierge services, consumer buying services, credit card notification services (i.e., lost or stolen card reporting), dating services, discount buying services, escort services, social, fortune-telling services, genealogical investigation services, house sitting services, introduction services, social, lockers, coin-operated, rental, numerology services, palm reading services, party planning services, pay telephone equipment concession operators, personal fitness trainer, personal shopping services, photographic machine concession operators, coin-operated, phrenology services, porter services, psychic services, rest room operation, shoeshine parlors, shoeshine services, shopping services, personal, singing telegram services, sitting services, house, social escort services, telegram services, singing, wedding chapels (except churches), wedding planning services.

OUTSIDE STORAGE — The keeping, in an unroofed area, of any goods, material, merchandise, or vehicles in the same place for more than 48 hours, except areas solely designated for garbage and trash for a specific use. **[Amended 3-1-2016 by Ord. No. 7200]**



Commentary

For nonresidential zoning districts where outside storage is allowed as a limited use, please refer to the handout on outdoor sales, service, storage and display available through the Community Development Department for further clarification.

PARK/PRIVATE PARK AND RECREATION FACILITIES FIELD — A noncommercial open space area with active or passive recreational facilities, such as playing fields, community centers, playground equipment, picnic shelters, paths/trails, benches, fences and parking lots managed by a public taxing body. Structures, such as lighting standards and buildings in excess of 900 square feet, shall require a special use permit. **[Added 3-1-2016 by Ord. No. 7200]**

PARK/PRIVATE RECREATION FIELD — An open space area with active or passive recreational facilities such as, playing fields, playground equipment, picnic shelters, paths/trails, benches, fences and parking lots. Structures, such as lighting standards and buildings in excess of 100 square feet, shall require a special use permit.

PAWNSHOP — An establishment that engages, in whole or in part, in the business of receiving property in pledge or as security for money or other things advanced to the pawnor or pledger. **[Added 11-19-2013 by Ord. No. 6972]**

PRIVATE RECREATION FIELD — A commercial park, playing field, playground or other recreation facility, and/or open space which is not operated by a public taxing body. **[Added 3-1-2016 by Ord. No. 7200]**

~~RECOVERY HOMES: facilities licensed by the Illinois Department of Human Services, Division of Substance Use Prevention and Recovery (SUPR) and possess an alcohol and drug-free housing component whose rules, peer-led groups, staff activities and/or structured operations are directed toward maintenance of sobriety for persons in early recovery from substance abuse, or those individuals who recently have completed substance abuse treatment or who may still be receiving such treatment at another licensed facility.~~

RECREATIONAL GOODS RENTAL — Establishments primarily engaged in renting recreational goods, such as bicycles, canoes, motorcycles, skis, sailboats, beach chairs, and beach umbrellas.

RECYCLING COLLECTION CENTER — A facility, that is not a junkyard, in which recoverable resources are collected, separated and stored within a completely enclosed building prior to shipment to a processing center.

RECYCLING DROP-OFF POINT — An incidental use that serves as a local collection site for the temporary storage of recoverable resources such as glass bottles, newspapers, plastics, aluminum, etc.

RECYCLING PROCESSING PLANT — A facility, that is not a junkyard, in which recoverable resources are recycled, reprocessed, and treated to return such products to a condition in which they may be used again for production.

RECYCLING USES —

1. RECYCLING COLLECTION CENTER — A facility, that is not a junkyard, in which recoverable resources are collected, separated and stored within a completely enclosed building prior to shipment to a processing center.
2. RECYCLING DROP-OFF POINT — An incidental use that serves as a local collection site for the temporary storage of recoverable resources such as glass bottles, newspapers, plastics, aluminum, etc.
3. RECYCLING PROCESSING PLANT — A facility, that is not a junkyard, in which recoverable resources are recycled, reprocessed, and treated to return such products to a condition in which they may be used again for production.

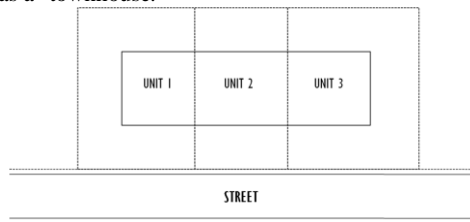
RELIGIOUS ESTABLISHMENTS — A facility, enclosed or open to the sky, at which people assemble for worship; and which is maintained by a religious body that has a tax exempt status and is organized to sustain worship; and may include accessory uses which are directly incidental to or in conjunction with the functions that pertain to its membership and mission.

Commented [DP3]: Consistent with definition of Recovery Home from Illinois Administrative Code.
http://www.ilga.gov/commission/jcar/admincode/077/07702_0600B02010R.html

RESTAURANT — An establishment where food items are prepared from scratch or assembled from raw or cooked product to be presented for consumption on site. **[Added 12-11-2017 by Ord. No. 7419]**

SELF STORAGE/MINI-WAREHOUSES — Storage units leased on an individual basis.

SINGLE-FAMILY ATTACHED — A residential building containing a row of three or more adjoining dwelling units, each situated on a separate subdivision lot or being a separate condominium unit capable of individual sale, and each of which is separated from the others by one or more unpierced walls extending from ground to roof. A single-family attached dwelling is often referred to as a "townhouse."



SINGLE-FAMILY DETACHED — A residential building containing not more than one dwelling unit to be occupied exclusively by one family, not physically attached to any other principal structure, entirely separated from any other dwelling unit by space. For regulatory

purposes, this term does not include mobile homes, recreational vehicles, or other forms of temporary or portable housing. Manufactured buildings constructed for use as single family dwelling units (manufactured home dwellings) are treated similar to single-family detached dwellings.

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 six 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 six 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. **[Added 12-11-2017 by Ord. No. 7419]**

SMOKING LOUNGE/HOOKAH BAR — An establishment, which, as one of its principal business purposes, is dedicated to the smoking of tobacco products or other legal substances on its premises. The term "smoking lounge" includes, but is not limited to: cigar lounges, hookah cafes, tobacco lounges, tobacco clubs or tobacco bars.

SNACK AND NON ALCOHOLIC BEVERAGE BARS — Establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn or (2) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises. These establishments may carry and sell a combination of snack, nonalcoholic beverage, and other related products (e.g., coffee beans, mugs, coffee makers) but generally promote and sell a unique snack or nonalcoholic

beverage. Examples include beverage bars, carryout service doughnut shops with ~~on-premises~~ on premises baking, carryout service bagel shops with on-premises baking, carryout service pretzel shops with on-premises baking, carryout service cookie shops with on-premises baking and ice cream parlors.

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. **[Added 6-3-2014 by Ord. No. 7034]**

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. **[Added 12-11-2017 by Ord. No. 7419]**

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 a 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. **[Added 12-11-2017 by Ord. No. 7419]**

TEMPORARY RETAIL USE/ACTIVITY — A temporary retail use or activity is a use or activity that operates or locates with an intention of operating for no more than four months in a year. Retail uses that request temporary signage for a specific use located on a property without requesting permanent signage for the use shall be deemed as temporary retail uses/activities. Temporary retail activity conducted on a property associated with a permanent retail use shall not be considered temporary retail use/activity. Outdoor temporary retail activity associated with a permanent retail use may require a temporary use permit according to the provisions of this Ordinance.



Commentary

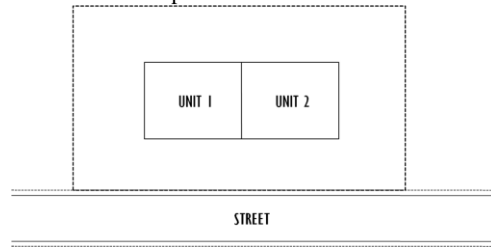
Temporary retail use/activity shall include but not be limited to Halloween stores.

TEMPORARY SHELTERS — Comprises establishments primarily engaged in providing;

1. Short-term emergency shelter for victims of domestic violence, sexual assault, or child abuse; and/or
2. Temporary residential shelter for homeless individuals or families, runaway youth, and patients and families caught in medical crises.

TEMPORARY USE — Any nonpermanent use of land or buildings, or both for a specific time period as described and permitted herein, subject to the provisions of the requirements of this Ordinance.

TWO-FAMILY — A residential building on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall. A two-family dwelling is often referred to as a "duplex."



USED MERCHANDISE STORE — A retail store that buys or accepts donations and sells previously used merchandise, such as clothing, furniture, appliances, household goods, sporting goods, recreational equipment or other merchandise not considered to be antique, that is in good repair or has been restored or reconditioned to a clean and usable condition. This definition excludes "antique store or antique mall," "consignment store," "pawn shop," "junk store," or "flea market." **[Added 11-19-2013 by Ord. No. 6972]**

WAREHOUSING DISTRIBUTION — The storage of materials in a warehouse or terminal and where such materials may be combined, broken down, or aggregated for transshipment or storage purposes where the original material is not chemically or physically changed.

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. **[Added 12-11-2017 by Ord. No. 7419]**

F. Signs.

SIGN; SIGNS — Any object, device, landscape, lighting, painting or structure used for identification, description, illustration, announcement, declaration, or display either illuminated or nonilluminated, located inside or outside an establishment used to advertise, identify, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, characters, colors, designs, illumination, images, landscaping, motion, painting, pictures or symbols which is constructed of permanent, temporary, solid, flexible or living materials.

ABANDONED SIGN — A sign which no longer identifies or advertises a business, lessor, service, owner, product, or activity on the premises and/or for which no legal owner can be found.

ADDRESS SIGN — Sign which is affixed to a residence or business that identifies the physical location of the structure by numbers and letters.

A-FRAME SIGN — Any upright, rigid supporting frame in the form of a triangle or inverted "V."

ALTER A SIGN — The changing of any sign size, location or structural design of any sign. The changing of movable parts of an approved sign that is designed for such changes or the repainting or repositing of display matter shall not be deemed an alteration, provided the

conditions of the original approval, and the requirements of Section 4-1000, Signs, are not violated.

ANIMATED SIGN — A sign or advertising structure that uses movement, rotation, reflection, or change of lighting or copy to depict action, give the appearance of motion or create a special effect or scene whatsoever. For the purposes of this article, animation shall include mechanical, electrical, electronic, or other means, or the appearance of movement, including but not limited to full-motion video, flashing, scrolling, oscillating, blinking, twinkling, or changing color or light intensity in a way simulating change. This shall also include moving, flashing, electronic message, video screens and tri-vision signs. It shall not include flags, banners, or pennants. **[Amended by Ord. No. 6543]**

CHANGEABLE COPY SIGN — A freestanding sign or wall sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually in the field or mechanically without altering the face of the surface of the sign.

COMMON SIGN PLAN — An approved plan to provide for a combination of all signs which shall be permitted on a lot or two or more contiguous lots.

DOWNTOWN SIGN DISTRICT/VIRGINIA STREET CORRIDOR DISTRICT — An area which includes the Downtown as illustrated in the Appendix and an area known as the Virginia Street Corridor.

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11. Editor's Note: The definition of "electronic display sign," as amended by Ord. No. 6543, which immediately followed this definition, was repealed 12-11-2017 by Ord. No. 7419.

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 informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments. **[Amended 7-5-2011 by Ord. No. 6687; 12-11-2017 by Ord. No. 7419]**

EMBELLISHMENT — Any lighting or decorative material added to the sign face or structural support of the sign. Embellishment shall be limited to 30% of that portion of the sign.

FLAG — A piece of fabric, or bunting containing distinctive colors, patterns, or symbols.

FREESTANDING SIGN — A sign where the bottom side of the sign is set or mounted on a base that is permanently set at ground level.

HUMAN SIGN — A sign held by or attached to a person, including costumes worn by a person. These signs shall not be located within any right-of-way and shall be on private property. Political, protest or strike signs are not considered human signs and are permitted as allowed by the constitution.

ILLEGAL SIGN — A sign which does not meet the requirements of this Ordinance and which has not received legal nonconforming status or a variation.

ILLUMINATED SIGN — A sign that is illuminated by exposed bulbs or neon as a direct external artificial light source that is integral to the sign or light bulbs mounted on the face of the sign; or a sign which is lighted by an artificial external light source not incorporated within the sign, such as flood lights or spot lights; or a sign illuminated with an artificial light source incorporated

within the sign for the purpose of lighting the sign. This shall also include electronic message center signs.

INSTITUTIONAL SIGN — A sign setting forth or denoting the name of any use or facility which provides a public service which benefits the members of the community, such as, but not limited to, educational and recreational facilities, religious institutions, and public or charitable facilities or properties, when the sign is located on said premises.

INTERIOR SIGN — A sign erected inside an enclosed building for display or enclosed mall upon one of the individual tenant suite users displaying the name of the user.

LEGAL NONCONFORMING SIGN — Any sign lawfully existing on the effective date of an ordinance, or an amendment thereto, which renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

LIMITED-DURATION SIGN — A sign providing information on an event or occurrence. The sign is permitted 30 days prior to and two days following the event or occurrence, but in no case longer than 39 days. A total of four limited duration signs may be issued in a calendar year. For the purpose of this Ordinance, a limited-duration event is considered to be an event lasting no more than seven calendar days. **[Amended by Ord. No. 6543]**

LOGO — Objects or trademarks directly associated with a specific business or use.

MARQUEE SIGN — A sign attached to, hung from or supported by a marquee which is a roof-like structure constructed of rigid materials projecting beyond a wall of a building or extending

along and projecting beyond a wall of a building, but not supported by a frame affixed to the ground, generally designed and constructed to provide from the weather.

OPAQUE SIGN — The background material behind the copy area of a sign which is not transparent or translucent; impenetrable to light.

PENNANT — Any lightweight material suspended from a rope, wire, or string and displayed in a series with or without a message, designed to move in the wind.

PERMITTED SIGN — A sign which is allowed upon application and approval of a sign permit.

POLE SIGN — A sign whose bottom portion is connected to a pole or pylon structure which elevates the sign cabinet area above the ground. Only existing pole signs are permitted.

~~**POLITICAL CAMPAIGN SIGN** — A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election. Political campaign signs include only those signs specifically advocating on behalf of a person, or a position on a question, to be considered by voters. **[Added 12-17-2013 by Ord. No. 6983]**~~

~~**POLITICAL MESSAGE SIGN** — A sign other than a political campaign sign expressing a noncommercial message regarding an issue of political or public concern. **[Added 12-17-2013 by Ord. No. 6983]**~~

PROHIBITED SIGN — A sign not allowed by the provisions of this Ordinance.

PROJECTING SIGN — A sign affixed perpendicular to a building in such a manner that its leading edge extends more than 12 inches beyond the line of such building or beyond the lot line.

SIGN COPY — The sign copy area shall be the advertising display surface of the sign, the portion of the sign face upon which copy may be placed. Copy includes letters, words, symbols, color, background, trademarks, numbers or similar.

SIGN COPY AREA — The entire area within a single continuous perimeter enclosing the extreme limits of all lettering, wording, designs, symbols together with the background on which they are displayed and in no case passing through or between any adjacent elements of the same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

SIGN FACE — The surface of the sign, upon, against, or through which the message is displayed or illustrated on the sign.

SIGN HEIGHT — The vertical distance measured from the highest point of the sign, including decorative embellishments, to the natural surface grade beneath the sign.

SUSPENDED SIGN — A sign that is attached to the underside of a horizontal plane surface, held by moveable materials such as rope, cable, chains, etc. either interior to a building or on the exterior.

TEMPORARY SIGN — A sign, with or without frames, intended to be displayed for a short period of time which displays information that is not permanently associated with the use located on the property.

TWO-FACED SIGN — When a sign has two or more display faces and two or more sides can be seen at one time, all areas that can be viewed simultaneously shall be considered the sign copy area.

VEHICLE SIGN — A sign painted on or affixed to a vehicle, trailer or other moving means of transportation parked or located on a property or driven around the City whereas the sole intent is to use the vehicle as a sign. Delivery vehicles in the regular routine of delivery or parked adjacent to the building where they are based during regular business hours shall not be considered signs.

WALL SIGN — A sign attached flat against a wall, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign face. Signs made of fabric or non-rigid materials with no enclosing framework are not considered as wall signs. **[Amended 1-18-2011 by Ord. No. 6641]**

WINDOW SIGN — Any sign affixed inside or on the outside of a window.

G. Subdivision standards.

CONDOMINIUM — A form of ownership, which permits individuals to own a portion of a building and common areas, either in fee simple or jointly. An elected board of the owners manages the condominium association.

DRIVEWAY — An access point to the street. **[Added 3-1-2016 by Ord. No. 7200]**

SUBDIVISION — Any change, division, resubdivision, lease, or rearrangement of any tract, piece, or parcel of land, block, lot or sub-lot, or any part thereof that results in two or more lots, pieces, or parcels of land or two or more discrete uses on any lot, piece, parcel of land, block, lot, or sub-lot, or any part thereof that are not otherwise authorized by the Unified Development Ordinance. **[Amended 9-4-2012 by Ord. No. 6843]**

H. Tree preservation.

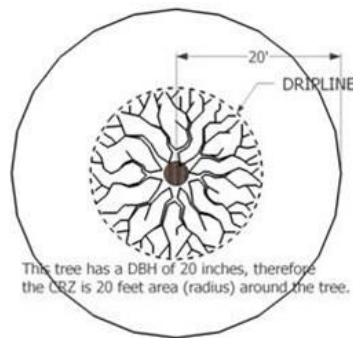
BUILDING ACTIVITY AREA — That buildable area of a lot or parcel in which construction and building activities occur, which shall be the smallest practical area of a lot or parcel to be determined with the objective of preserving trees.

CERTIFIED ARBORIST — An individual who is trained in the art and science of planting, caring for and maintaining individual trees and is certified by the International Society of Arboriculture (ISA), the National Arborist Association (NAA) or the American Society of Consulting Arborists (ASCA). For the purposes of this Ordinance, the certified arborist would be the choice of the City of Crystal Lake, whose services would be paid for by the party responsible for the project.

CONDITION RATING — Rating system used to determine the health and overall condition of a tree on a six-point scale, with a rating of one being the best and six the worst.

CRITICAL ROOT ZONE (CRZ) — The area of the ground near or beneath a tree having its point of beginning at the center of the trunk of the tree, and having a radius equal to one foot of radius for every one inch of tree DBH.

DIAMETER BREAST HEIGHT (DBH) — The diameter of a tree measured at 4 1/2 feet above the grade existing at the base of a tree.



PROTECTIVE ROOT ZONE (PRZ) — The area of the ground near or beneath a tree having its center point at the center of the trunk of the tree, and having a radius equal to one foot of radius for every one inch of tree DBH.

REMOVAL — Physical removal of a tree, or actions such as severe pruning, damaging, poisoning or other direct or indirect action resulting in, or likely to result in, the death of a tree.

TREE — A woody, self-supporting perennial plant usually with one trunk, or a multistemmed trunk system and having a crown.

TREE PRESERVATION; TREE BANKING — A program that allows a monetary donation for the planting of trees within the City.

TREE CALIPER — A unit of measurement for diameter, taken six inches above the ground for trees having a caliper of up to and including four inches, and taken 12 inches above the ground for trees having a caliper larger than four inches.

TREE PRESERVATION AREA — That area of a lot or parcel of land within which all trees shall be protected as designated on a tree preservation plan.

TREE PRESERVATION PLAN — A written plan having text and/or graphic illustrations indicating the methods that are to be used to preserve existing trees during construction.

TREE PROTECTION DEVICES — Barriers, fences, other devices and techniques reasonably required to protect the tree preservation area from intrusion by construction vehicles and equipment, materials and spoils.

TREE REMOVAL PERMIT — The required written permit issued in order to remove any tree within the corporate limits of the City.

TREE SURVEY — A graphic display indicating location, size, species and condition of all trees with a DBH of two inches or greater for trees in Groups A and B, and a DBH of six inches or greater for Groups C and D.