



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
January 18, 2011
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – January 4, 2011 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
7. **Mayor's Report**
8. **Council Reports**
9. **Consent Agenda**
 - a. **St. Elizabeth Ann Seton Church Temporary Use Permit request for a Friday night fish fry Special Promotion and waiver of the Temporary Use Permit application fee.**
10. **Ordinance authorizing Historic Landmark designation for the Paul Bertram House at 50 Caroline Street.**
11. **Manufacturer Building Improvement and Equipment Program matching grant application request – C-Ideas, Inc., 125 Erick Street, Units 113-120.**
12. **Walgreens, 151 W. Northwest Highway – Special Use Permit Amendment to alter the existing monument sign with a variation to allow an electronic message center.**
13. **Exclusively Napa, LLC, 35 N. Williams Street – Special Use Permit for a Drinking Place to allow a wine bar, and Variation from the required 8 parking spaces to allow 0 spaces.**
14. **Resolution authorizing execution of the Local Agency Agreement for Federal Participation with IDOT for construction and Phase III Engineering of the Pingree Road Segment 3 Improvement.**
15. **Unified Development Ordinance one-year review, ordinance amending Chapter 650 of the City Code for the changes to the Unified Development Ordinance, and deletion of Chapter 326, Outdoor Lighting of the City Code.**
16. **Council Inquiries and Requests**
17. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**

- 18. Reconvene to Regular Session.**
- 19. Planning and Zoning Commission Reappointments.**
- 20. Adjourn**

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



Agenda Item No: 9a

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	January 18, 2011
<u>Item:</u>	St. Elizabeth Ann Seton Church Temporary Use Permit request for a Friday night fish fry Special Promotion.
<u>Recommendation:</u>	Motion to approve the Temporary Use Permit, pursuant to the recommendations listed below, and waive the Temporary Use Permit fee.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Planning and Economic Development

Background: For the past several years, St. Elizabeth Ann Seton Church has hosted a Friday night fish fry during Lent as a fundraiser for their Youth Group. A Temporary Use Permit is required for this event.

The Unified Development Ordinance allows Special Promotions for a period of not more than three days in a calendar month. The Ordinance states that only four special promotions by the same business shall be approved by the City Council within a calendar year on the same property. This would be the first request by St. Elizabeth Ann Seton Church for a Special Promotion activity this year.

The Unified Development Ordinance allows temporary signs to be displayed for periods not exceeding 39 days four (4) times per calendar year. The applicants have requested that the sign be displayed for 43 days (from March 4, 2011 to April 15, 2011). The Unified Development Ordinance also states that a temporary sign is not to exceed 16 sq. ft. The applicants are proposing a sign that is double-sided and approximately 12' wide by 4' tall, or 48 sq. ft. per side. The requested sign is the sign they used in previous years and it will also be placed in the same location.

The applicant is requesting a waiver from the \$75.00 Temporary Use Permit application fee since this is a fundraiser for the Youth Group.

If the request is approved, the following conditions are recommended:

1. The Temporary Use Permit shall be valid per the attached site plan for the Friday evenings between March 11, 2011 and April 15, 2011 from 2:00 p.m. until 9:00 p.m.
2. Any requests for additional signage shall be made to the Building Division.

A. The 4' by 12' double-sided sign shall be allowed per the sketch provided. The sign shall be located at least 50' from the intersection of Dartmoor Drive and McHenry Avenue and at least 10' from the property line.

B. The sign shall be allowed to be displayed from March 4, 2011 through April 15, 2011.

3. Comply with the requirements of the 2005 National Electrical Code.
4. Comply with all requirements and conditions of the 2006 International Fire Code and Fire Prevention Review as well as the conditions listed in the application.
5. The no parking fire lane restrictions shall be observed along the driveway. The entrance and exit doorways to the building cannot be blocked.
6. Ensure the proposed sign location is not within a Municipal Utility Easement or blocking the line of sight of vehicles entering onto McHenry Avenue from Dartmoor Drive.
7. McHenry County Health Department approval shall be obtained prior to the event.
8. A site inspection by the Fire Prevention Bureau is required prior to the first fish fry, when the temporary structures are erected and equipment is set up. (See attached additional review comments.)

The applicant has been made aware of these recommended conditions and advised to attend the January 18, 2011 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date:

January 18, 2011

Item:

REPORT OF THE HISTORIC PRESERVATION COMMISSION

Historic Landmark Designation for the Paul Bertram House.

Thomas Nemcek, petitioner
George Brian Shaler, property owner
50 Caroline Street

**Historic Preservation
Commission**

Recommendation:

Motion to approve the Historic Preservation Commission recommendation and to adopt an ordinance authorizing Historic Landmark designation for the Paul Bertram House at 50 Caroline Street.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The house was built in 1914 by Paul Bertram who made his way to Crystal Lake in September 1897 at the age of 17. He had 68 years of dedicated service to the Crystal Lake area before his death in 1966. He worked for the Fire Department, the Building Department, and served as a member of the Zoning Board of Appeals and the Chamber of Commerce. The house is currently occupied by George Brian Shaler, whose family purchased the home in 1954. Tom Nemcek completed the paperwork and research required for the application at the request of and with the full support of the property owner, George Shaler.

The house is an American Foursquare, or Prairie Box architecture, which is an architectural style commonly linked with Frank Lloyd Wright. The American Foursquare style is a simple square usually two-stories with a low-pitched roof with gables. The house is made of formed concrete blocks. The blocks were manufactured by W.E. Dunn Manufacturing out of Chicago. There is a full-width front porch which is framed by two stone lions on either side of the entry stairs. The front of the porch also has two lion heads.

The garage is detached and is constructed of brick and slip-glazed, hollow terra cotta blocks. The blocks were created by John T. McRoy to carry underground electrical lines. The garage is unique because it uses these blocks as building materials. Both the house and the garage are considered for landmark status.

The petitioner is requesting the property in question be designated a historic landmark. The requirements for historic landmark designation are below.

1. It is within the corporate boundaries of the City of Crystal Lake; and
2. It is over fifty years old, in whole or in part; and

The Historic Preservation Ordinance continues by listing a host of general considerations and items of architectural and historic significance to be considered for designation. The Bertram House satisfies the criteria provided in the Historic Preservation Ordinance, as detailed in the historic landmark application and staff report that is attached.

Once a property is historically landmarked, any significant changes to the exterior of the structure must be reviewed and approved by the Historic Preservation Commission through a Certificate of Appropriateness. The Commission determines if the proposed improvement is historically appropriate. In addition, landmarked buildings are eligible for a \$500 per year grant provided by the HPC that assists the homeowner in their exterior upgrades. The HPC generates this grant funding through the proceeds of their annual trolley tour.

The Paul Bertram House represents a significant element of Crystal Lake's local history. The structure is worthy of recognition and preservation because of its historic significance.

The Historic Preservation Commission recommended **approval (5-0 vote)** of the request.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____

FILE NO. _____

ORDINANCE

WHEREAS, the Mayor and City Council of the City of Crystal Lake have by ordinance established an Historic Preservation Commission; and

WHEREAS, the Historic Preservation Commission of the City of Crystal Lake has conducted a public hearing in accordance with the provisions of the Historic Preservation Ordinance to consider recommending to the Mayor and City Council of the City of Crystal Lake historic landmark designation for the 50 N. Caroline Street, Crystal Lake, Illinois; and

WHEREAS, the Historic Preservation Commission of the City of Crystal Lake recommends historic landmark designation for 50 N. Caroline Street, Crystal Lake, Illinois. PIN 14-32-458-009

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

Section I: That the Mayor and City Council of the City of Crystal Lake approve historic landmark designation for 50 N. Caroline Street, Crystal Lake, Illinois.

Section II: That the Historic Preservation Commission take all steps necessary to recognize the historic landmark designation of 50 N. Caroline Street, Crystal Lake, Illinois.

Section III: That a copy of this ordinance be spread upon the minutes of the City of Crystal Lake and the Clerk is directed to send a copy of this ordinance to the Historic Preservation Commission.

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date: January 18, 2011

Item: Manufacturer Building Improvement and Equipment Matching Grant Program application request #2010-32-10 for C-Ideas Inc., at 125 Erick Street, Units 113-120, to request \$10,000 in matching grant funds.

Mike Littrell (C-Ideas Inc.)

Recommendations: City Council's discretion:

1. Motion to approve the Manufacturer Building Improvement and Equipment Grant agreement with Mike Littrell, and to award \$10,000 in grant funding for eligible improvements to 125 Erick Street, Units 113-120 (C-Ideas Inc.); and to approve the Targeted Development Zone 50% fee reduction for a business located on the periphery of Route 176;
2. Motion to deny the grant application and/or Targeted Development Zone fee request.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development
James Richter II, Assistant Director of Economic Development

Background: On May 4, 2010, the City Council approved the Manufacturer Building Improvement and Equipment Program. This program provides matching grant funding for interior and exterior building improvements to manufacturers bringing full-time jobs to Crystal Lake. Businesses that manufacture material goods are eligible for the manufacturer building improvement and equipment program. Reimbursements are calculated as a function of the value of eligible improvements and the number of full-time jobs that are generated by the applicant's business. To be eligible for the maximum award of \$10,000, applicants must spend at least \$20,000 in qualifying (eligible) improvements, and bring five (5) full-time jobs to Crystal Lake.

C-IDEAS (125 ERICK STREET, UNITS 113-120)

Mike Littrell, the owner of C-Ideas Inc., has applied for matching grant funds to offset build-out expenses for his new headquarters at 125 Erick Street. Mr. Littrell is moving his business from Cary to Crystal Lake and is purchasing units 113-120 of the subject property. The building at 125 Erick Street was recently acquired by Carey Sherman (through bankruptcy and/or foreclosure). Mr. Littrell will be buying several partially-constructed spaces from Mr. Sherman for C-Ideas Inc.

C-Ideas Inc., specializes in rapid prototyping projects and 3D modeling, printing, and fabrication of plastic parts. C-Ideas manufacturing of plastic prototypes using CAD-drawings and 3D modeling

ensures the function and assembly of products. Using 17 custom machines and over 24 different materials, C-ideas design-manufacture services produces customer's parts in thermoplastics, urethanes, acrylics and epoxy photopolymers.

C-Ideas Inc., will bring 5 full-time jobs to their new headquarters here in Crystal Lake.

The eligible manufacturer building and equipment improvements for this business include electrical, plumbing, and information technology (communications) items.

The total improvement costs (including ineligible items) will be approximately \$183,500. The applicant is requesting \$10,000 in matching grant funds, which is approximately 5% of the total project costs.

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

REVIEW CRITERIA	APPLICANT'S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to appearance	Minor improvements to the appearance of the subject property would be provided
Aesthetic impact to area	Improvements would not provide a significant aesthetic impact to the area
Amount of work to be conducted	Total cost of improvements is nearly \$183,500; applicant is requesting 5% of the total costs*
Anticipated increase in EAV	A minor increase to the EAV is expected as a result of the improvements
Use of property after improvements	Promotes the intended use of the building for manufacturing and office space*
Contribution to economic vitality	Assists the occupancy of vacant manufacturing space with a viable user bringing jobs to CL.*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant's request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill 4 of the 7 review criteria (marked with an asterisk*).

ELIGIBLE IMPROVEMENTS FOR REIMBURSEMENT

There are a variety of different improvements that are eligible for reimbursement through the manufacturer building improvement and equipment program. The chart below is taken from the Ordinance approving the program. The current request contains the improvements that are *italicized* in the chart.

Manufacturer Building Improvement and Equipment Program

Exterior brick cleaning	Exterior tuck pointing	Exterior painting
Exterior wall façade repair, treatment, and construction	Original exterior architectural features repair or replacement	Drywall or feature walls
Improvements for ADA accessibility compliance	Life safety improvements	<i>Electrical or plumbing repair, installation, or upgrade</i>
Interior/exterior demolition	Historic renovation to interior	<i>Machinery, IT infrastructure, or equipment for daily operation</i>

RECOMMENDED CONDITIONS:

If approved, staff recommends the following conditions be added to the grant funding request:

1. Reimbursement will not be made until the applicant provides proof of employment information for each of the 5 full-time C-Ideas Inc., employees.

- The applicant is located on the periphery of the Targeted Development Zone (Routes 14, 31, and 176). If approved by the City Council, the applicant is eligible for the Targeted Development Zone Incentive fee waiver of a 50% reduction in permit and inspection fees. The applicant shall provide proof of the purchase price and all building improvements and equipment costs to staff.

SUMMARY OF CURRENT REQUESTS

The chart below provides a complete summary of the pending grant funding requests. The City has budgeted \$75,000 for reimbursements to awarded recipients. As approved on May 4, 2010, \$60,000 of the \$75,000 would be available to new retailers and manufacturers (at a max award of \$10,000), while \$15,000 would be available to existing retailers making improvements to their buildings (at a max award of \$1,000).

On December 7, 2010, the Council approved an Amendment to the Ordinance for the Matching Grant programs to reallocate \$10,000 of the \$13,000 for existing businesses to apply to new retailers and manufacturers, while retaining \$3,000 of the remaining funds for existing retailers. With the approval of the subject application, the available funding for the new retailer and manufacturer programs will be extinguished.

File #	Applicant Name / Business name	Address	New Retailer Improvements	Existing Retailer Improvements	Manufacturing Improvements	Total Requested	Amount Approved	Status
2010-32-001	Matt Thelander Yumz Frozen Yogurt	815 Cog Circle, #350	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2010-32-002	Ann Nevills Building owner	33-37 N Williams						Withdrawn
2010-32-003	Dan Calendrino Centro Properties	6340 Nw Hwy		\$1,000.00		\$1,000.00	\$1,000.00	Approved
2010-32-004	Zahid Hameed Mobil Oil	250 N Rte 31	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2010-32-005	Casey Pristou Aaron's Sales & lease	6107 Nw Hwy, B	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2010-32-006	Clinton Anderson Colonial Café	5689 Nw Hwy		\$1,000.00		\$1,000.00	\$1,000.00	Approved
2010-32-007	John Regan/G. Hayes Twisted Stem Floral	407 E Terra Cotta	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2010-32-008	Bill Poll/Joe Billitteri Fox River Glass	1055 Nimco	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2010-32-009	Mark Michalak Jersey Mike's Subs	5006 Nw Hwy	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2010-32-010	Mike Littrell C-Ideas Inc.	125 Erick Street			\$10,000.00	\$10,000.00		Pending

TOTALS	\$60,000.00	\$2,000.00	\$10,000.00	\$72,000.00	\$62,000.00
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Votes Required to Pass: A simple majority vote.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: January 18, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION
#2010-65 Walgreens

Special Use Permit Amendment to alter the existing monument sign with a variation to allow an electronic message center.

John Harris, Corporate Image Signs, petitioner
Richmond, Illinois

PZC Recommendation: Motion to approve the recommendations of the Planning and Zoning Commission and to adopt an ordinance granting an SUP Amendment to allow the new monument sign with the electronic message center for the Walgreens at 151 W. Northwest Highway.

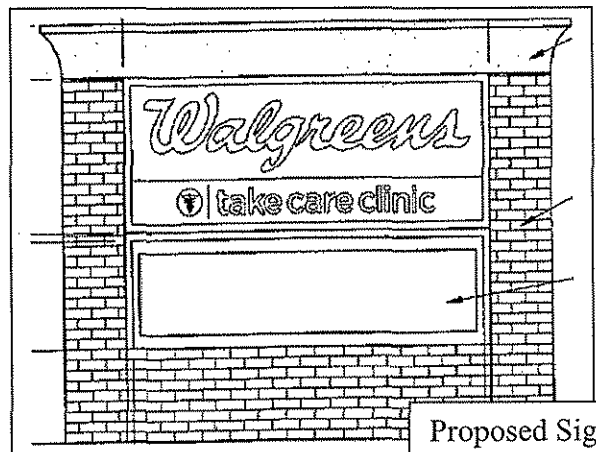
Staff Contact: Michelle Rentsch, Director of Planning and Economic Development

Background: In 2001, Walgreens requested a Special Use Permit for a drive-through use. The signage was included as part of the SUP approval. The current request is to remove the existing monument sign and install a new monument sign that contains an electronic message center.

The new monument sign would be framed with brick and topped off with a stone top cap that would match the architectural materials of the building. The "Walgreens and Take Care Clinic" sign panel would be an acrylic panel. The electronic message center would be the bottom 40% of the sign with amber LED lights. The proposed sign is a reduction in height and copy area from the existing sign.



Existing Sign



Proposed Sign

PZC Highlights

The Planning and Zoning Commission struggled with finding a hardship to recommend approval of the sign code variation for the electronic message center. They instead referred to the City's general criteria for EMCs and determined that the proposed sign met those criteria.

The PZC's recommended **approval (7-0-1, there was one member abstaining)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Corporate Image Sign, received 10/13/10)
 - B. Sign elevation (Walgreens, dated 10/29/10, received 11/12/10)
 - C. Site Plan (Walgreens, dated 11/01/10, received 11/12/10)
2. Conditions of Ordinance #5475 shall remain in effect as applicable.
3. The EMC message cannot change more than one time every ~~ten~~ **five** minutes. (**Amended by PZC**)
4. A final landscape plan shall be submitted with the building permit submittal for review and approval by staff.
5. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT
AND VARIATION
AT 151 W. NORTHWEST HIGHWAY

WHEREAS, pursuant to the terms of a Petition (File #2010-65) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of an Amendment to a Special Use Permit to allow a new free-standing monument sign; and a variation from (Article 4 Section 1000 J. Prohibited Signs) to allow a moving sign with electronic message center for the property located at 151 W. Northwest Highway, Crystal Lake, Illinois; and

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

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

Section I: That an Amendment to the Special Use Permit be issued to allow a new free-standing monument sign; and a variation from (Article 4 Section 1000 J. Prohibited Signs) to allow a moving sign with electronic message center for the property commonly known as 151 W. Northwest Highway, Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Corporate Image Sign, received 10/13/10)
 - B. Sign elevation (Walgreens, dated 10/29/10, received 11/12/10)
 - C. Site Plan (Walgreens, dated 11/01/10, received 11/12/10)
2. Conditions of Ordinance #5475 shall remain in effect as applicable.
3. The EMC message cannot change more than one time every five minutes.
4. A final landscape plan shall be submitted with the building permit submittal for review and approval by staff.
5. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

DRAFT

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

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: January 18, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2010-74 Exclusively Napa, LLC.

- 1) Special Use Permit for a Drinking Place to allow a wine bar
- 2) Variation from the required 8 parking spaces to allow 0 spaces.

Dr. Dennis Kellar, 35 N. Williams St.

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Special Use Permit and variation for 35 N. Williams Street.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development

Background: The petitioner is requesting a Special Use Permit for a drinking place to allow a wine bar at 35 N. Williams Street (previously Today's Uniforms). The wine bar would include retail sales of wine, wine tasting and a limited mixed drink selection with a limited menu of finger foods. Along with the special use, the petitioner is also requesting a variation from the required parking. The subject property is zoned "B-4" Downtown Business. Within the "B-4" district, Beer, Wine, and Liquor Stores (for off-premise consumption of liquor) are permitted by right upon the approval of the appropriate liquor license. A drinking place is permitted with the approval of a Special Use Permit. The petitioner has already received approval for the appropriate liquor license.

The floor plan indicates a limited amount of seating (35 seats) interspersed with wine racks to display wine for sale. Per the UDO, the parking requirement for this site is 8 spaces. The petitioner is requesting a variation from the required number of spaces to allow 0 spaces on-site. There are several alternate parking options available including free 2-hour on-street parking on Williams Street, Woodstock Street, and Brink Street. Free 4-hour parking is available at the lot located immediately to the east of the property, the Grant Street lot and south of the Metra Depot. Free Z-Lot parking from 5pm-2am on weekdays and all-day on weekends is available in the lot to the north. Free parking is also available at the nearby commuter parking lot at the Metra Depot and on the east side of Main Street from 5pm-2am on weekdays and weekends. It should be noted that the peak hours for drinking establishments do not typically coincide with the peak hours of traffic on

the adjacent streets, the peak usage of the nearby Metra lots, or many of the other downtown businesses.

Review of Recent Downtown Parking Improvements

At the PZC meeting, questions were raised regarding available downtown parking. Since 2003, a number of projects have been undertaken to enhance downtown parking. At the October 21, 2003 City Council meeting, the Council approved a contract with Rich and Associates for a comprehensive Downtown Parking Study following a Request for Proposals process. With extensive input from the Downtown Parking Committee, which is represented by City Staff, Downtown Crystal Lake/Main Street, and the Raue Center for the Arts, a comprehensive downtown parking study was completed in late 2004.

The parking study: 1) provided an examination of the City's parking system within the Downtown, 2) assessed the current supply of municipal parking spaces, and management thereof, in relationship to current and future demand, 3) considered parking demand by user group and evaluated parking demand based on current and future development scenarios, and 4) provided and evaluated options for additional parking. Since the approval of the parking study, almost all of the recommendations have been implemented. One of the remaining recommendations was the construction of a parking structure for downtown business use.

The parking structure was recommended because of a deficit of available downtown business parking. With the ongoing growth in the Downtown area, a new contract was approved in 2007 to update the 2004 parking demand model, review the site for a proposed parking structure, and study the design and economic feasibility of one or more options on the site. The parking consultant, Rich and Associates, worked with a local architectural firm, Legat Architects, in studying façade options for the proposed structure.

Rich and Associates recommended that the City proceed with a parking structure in the Grant Street Municipal Parking Lot. The proposed parking structure site would have been located on the northwest corner of the block bounded by Brink Street on the north and Grant Street on the west. The proposed site is already owned by the City and is large enough for a parking garage. The program for the parking structure also was to provide more than just a parking structure on this site. As a result, Legat Architects worked with Rich and Associates to come up with options for including occupied space on the ground floor of the parking structure and to also have a façade that is complimentary with the site and the downtown.

Unfortunately, because of budget constraints, this project could not be accommodated. Specifically, the cost to construct the parking structure was estimated to be \$9,000,000. Nonetheless, as the attached summary indicates, since 2003, a number of steps have been taken to enhance downtown parking. These steps have included:

- **Making on-street parking two hour.** This was completed in November 2004 and it increased parking space turnover by effectively allowing four vehicles to park per stall during the business day versus three or fewer vehicles with three-hour parking.
- **Encouraging shared use of private parking areas.** This provides opportunity to share use of parking areas creating greater efficiency by reducing the necessity to dedicate public or private capital and land resources to parking. The Raue Center for the Arts has

confirmed arrangements with Home State Bank and the Crystal Lake Park District for use of their parking lots when they are not being utilized. In addition, parking awareness has been incorporated into the specifications for the Downtown way-finding sign plan, which was completed in spring 2006.

- **Demolishing former Public Works Garage (behind 121 N. Main Street).** This project added to the supply of downtown parking north of the railroad tracks and provides for urban renewal to the area. As part of this demolition, a new downtown business parking lot has been constructed incorporating an expanded Z lot component. This project has increased Downtown parking by 101 spaces.
- **Developing and implementing a new sign program.** This project reduced traffic congestion, and provided better overall visitor experience. The Downtown way-finding sign plan, which was designed by a committee of the Downtown Crystal Lake organization, was completed in Sprint 2007.
- **Creating additional long-term patron parking.** In 2009, the City converted the South Brink Street Z lot to 4-hour parking by acquiring and converting a vacant parcel at Bring and Grant Street to Z lot parking. This conversion resulted in 28 additional downtown parking spaces. In December 2006, 15 spaces in the Depot lot were converted to 4-hour parking increasing the number of downtown business parking. In 2008, the commuter parking lot at Main Street and Crystal Lake Avenue was converted to long-term parking and the commuter parking spaces were moved to the former Public Works Garage parking lot. This conversion resulted in an increase of 45 downtown parking spaces.
- **Creating additional business permit parking in order to free up patron parking spaces.** The commuter parking on Brink between Main and Williams Street has been converted to a Z lot which has increased Downtown parking by 32 spaces. To make up for the loss of commuter spaces, a new commuter parking lot of City-owned property was constructed on Railroad Street expanding the commuter parking capacity. In addition, 11 spaces on the South end of the Grant Street Municipal lot have also been designated South "Z" lot parking.
- **Pursuing the conversion of the Depot commuter parking lot to long-term patron parking.** In 2008, the City purchased and demolished the home at Gate and Railroad Streets as part of a plan to increase commuter parking which would allow the conversion of the Depot parking lot to long-term patron parking. This will lead to an additional 48 spaces for downtown parking. In order to complete this project, an additional adjacent property must be acquired. The City will continue to seek opportunities for the acquisition of the additional property.

PZC Highlights

At the Planning and Zoning Commission meeting, some downtown property owners were present to express their concern regarding the parking variation. The Planning and Zoning Commissioners felt that overall this use was a good fit for the downtown district and stated that educating the customers regarding available parking options would go a long way in alleviating any parking concerns. Per the Commission's discussion at the meeting, the petitioner agreed that patrons parking in the rear parking lot would be able to access the wine bar from the rear entrance of the facility. The Planning and Zoning Commission recommended **approval (8-0)** of the petitioner's request. If the petitioner's request is approved, the following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (received 12/20/10)
 - B. Floor Plan (RBG Associates, dated 12/15/10, received 12/20/10)
2. The Special Use Permit is limited to Exclusively Napa, LLC. If the facility is expanded in size or intensity at any time, the petitioner shall be required to obtain a Special Use Permit Amendment.
3. All ~~full-time~~ employees shall obtain Z-lot passes, as available, for their parking needs. (modified by PZC)
4. A variation from the required number of parking spaces of 8 to allow 0 spaces is hereby granted.
5. The petitioner shall comply with all of the requirements of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.

Votes Required to Pass:

A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATION
AT 35 N. WILLIAMS STREET

WHEREAS, pursuant to the terms of a Petition (File #2010-74) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a Drinking Place for a wine bar; and Variation from the required 8 parking spaces to allow 0 spaces for the property located at 35 N. Williams Street; and

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

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

Section I: That a Special Use Permit be issued to allow a Drinking Place for a wine bar; and Variation from the required 8 parking spaces to allow 0 spaces for the property commonly known as 35 N. Williams Street, Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (received 12/20/10)
 - B. Floor Plan (RBG Associates, dated 12/15/10, received 12/20/10)
2. The Special Use Permit is limited to Exclusively Napa, LLC. If the facility is expanded in size or intensity at any time, the petitioner shall be required to obtain a Special Use Permit Amendment.
3. All employees shall obtain Z-lot passes, as available, for their parking needs.
4. A variation from the required number of parking spaces of 8 to allow 0 spaces is hereby granted.
5. The petitioner shall comply with all of the requirements of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments

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

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date:

January 18, 2011

Item:

Local Agency Agreement for Federal Participation with IDOT for Construction and Phase III Engineering of the Pingree Road Segment 3 Improvement

Staff Recommendation:

Motion to adopt a resolution authorizing the City Manager to execute the Local Agency Agreement for Federal Participation with IDOT for construction and Phase III Engineering of the Pingree Road Segment 3 Improvement.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

The improvement to Pingree Road will reconstruct and widen the road between Pointe Drive and McArdle Drive. The project limits are from Rakow Road to US Route 14; the physical roadway improvements extend from McArdle Drive to Pointe Drive. The scope of work includes resurfacing from McArdle Drive to Tek Drive with reconstruction and widening from Tek Drive to Pointe Drive. The widening will match the already improved sections to the north and south.

This project has received Federal Surface Transportation Program (STP) funds for road construction and Phase III Engineering. IDOT administers these funds on behalf of the Federal Government. Attached is a Local Agency Agreement for Federal Participation between the City and IDOT that defines how the project will be funded using these Federal grants. The STP grant will fund the road construction and Phase III Engineering costs up to \$1,500,000. The City's estimated share for the project is \$396,478. The City will use Motor Fuel Tax funds for its local share, and the project is programmed in the proposed FY 2011-2012 City budget.

This agreement is a standard agreement that is used for all projects utilizing Federal funds. Once this agreement has been executed and all necessary approvals have been secured, IDOT will be ready to let the project. The City is targeting a letting for April 29, 2011. The Engineering Division is in the process of evaluating proposals for a Phase III Engineering consultant. Construction is anticipated to start this summer.

Votes Required to Pass:

A simple majority of the City Council in attendance.

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The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the Local Agency Agreement for Federal Participation for the Pingree Road Segment 3 Improvement.

DATED this eighteenth day of January, 2011.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: January 18, 2011

APPROVED: January 18, 2011



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date:

January 18, 2011

Item:

Unified Development Ordinance: 1-year review

Recommendation:

Motion to approve the Zoning Commission recommendations and to adopt an ordinance amending Chapter 650 of the Code of Ordinances of the City of Crystal Lake, Illinois for the changes to the Unified Development Ordinance;
Motion to delete Chapter 326, Outdoor Lighting of the Code of Ordinances of the City of Crystal Lake, Illinois.

Staff Contacts:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The Unified Development Ordinance (UDO) 1-year review was introduced at the December 21, 2010 City Council meeting. Per the discussion at the meeting, the various decision points, specifically related to signage and branding have been summarized in the attachment (immediately following summary) with staff recommendations included for each scenario.

The City Council approved the Unified Development Ordinance (UDO) on April 21, 2009. The UDO combined and updated the City's various land development ordinances into one unified document. The UDO is intended to be a dynamic document that will be updated periodically to ensure that the City's development regulations keep pace with modern development trends and emerging development regulatory practices, promote continued high-quality development, maintain the character and charm of Crystal Lake neighborhoods and offer greater protection for natural resources. Accordingly, when the City Council adopted the UDO, mandatory reviews were required at 6 months and 1 year following the effective date of the Ordinance.

Most of the proposed changes are minor corrections or clarifications. Following are some of the highlights of the changes proposed with the 1-year revision:

- The review criteria for sidewalk or outdoor seating are proposed to be revised to better address site conditions.
- Temporary retail uses (such as Halloween stores) were required to seek a Special Use Permit following the adoption of the UDO. It is recommended that they be permitted as Limited Uses with the stipulation that Crystal Lake is denoted as the point of sale for sales tax purposes.
- The clear sight triangle requirements are proposed to be modified to better address conditions in the field and mirror the Illinois Department of Transportation Bureau of Local Roads standards.

- It is recommended that additional uses be added to the off-street parking spaces table spelling out specific parking requirements. Clarification is also included regarding when upgrades to parking areas are necessary.
- The changes in the sign portion of the UDO are to address some of the issues staff has noticed following the adoption of the UDO and also to ensure that the ordinance continues to meet the case law for constitutionality. It is recommended that A-frames signs (currently permitted only in the downtown and the Virginia Street Corridor) be permitted city-wide. Also, in response to several requests for feather banners as limited duration signs, it is recommended that they be included as a permitted sign type.
- The fee structure is proposed to be revised to include the cost of the notification sign within the application fees. Also, the Simplified Residential Variation fees have been revised to include the cost of the notification sign and copying costs so that residents only need to submit 1 copy of the application material.

The attached document summarizes the proposed changes. The article, page number and section of the proposed change are listed at the top (For e.g. Article 2, Page 2-14/Table 2-300 Permitted Uses Table). Any deletions are ~~struck~~ and any additions are **bolded and underlined**. The changes that were recommended to be deleted by the Zoning Commission are ~~double-struck~~ and any additions by the Zoning Commission are in ***bolded, italicized and underlined***.

In addition to these changes, based on the discussion at the last City Council meeting regarding signage, attached are various scenarios with decision points for each scenario that have been outlined for Council's review.

Also, it has come to staff's attention that Chapter 326, Outdoor Lighting, of the City Code replicates the provisions within Article 4-800 Exterior Lighting Standards of the UDO. This section was inadvertently not deleted from the City Code when the UDO was adopted. Through this 1-year revision staff is recommending the deletion of Chapter 326, Outdoor Lighting, of the City Code along with some minor changes to Article 4-800 of the UDO that are outlined below.

Article 4, Development and Design Standards
Section 4-800 Exterior Lighting Standards Page 4-85

C. Conformance

2. ANY non-conforming luminaire or light installation is required to comply with the requirements of this Ordinance or be removed within 30 days if any of the following ~~criteria~~ are met:
 - a. The luminaire is producing glare that is deemed by the City to create a hazard or nuisance.
 - b. The height or location of the luminaire is changed.
 - c. The luminaire is changed or replaced (except routine maintenance and bulb replacement of equal light output), except if it is a part of a parking lot lighting installation consisting of an array of 3 or more identical luminaires and poles or supporting structures.
 - d. The supporting structure for the luminaire is changed or replaced except if it is part of a parking lot lighting installation consisting of an array of 3 or more identical luminaires and poles or supporting structures
 - e. ~~The use of a luminaire is resumed after a period of abandonment.~~

3. ALL non-conforming luminaires or light installations existing on any zoning lot in any zoning district are required to comply with the requirements of this Ordinance or be removed within 30 days if any of the following criteria are met:

- a. A cumulative total of 50% or more of the non-conforming luminaires or their supporting structures are changed, replaced (excluding routine maintenance and bulb replacement of equal light output) or relocated.
- b. A "Principal Structure" on said zoning lot is expanded by an amount equal to or greater than 50% of the total square footage of the structure immediately prior to such expansion.
- e. There is a change in zoning or use of said lot.

Section 4-800 Exterior Lighting Standards Page 4-87

D. Illumination Standards

Illuminated Surface	Minimum Light Level	Maximum Average Light Level
Non-internally illuminated signs (Wall and ground, light color)	-	5.0 foot-candles
Non-internally illuminated signs (Wall and ground, medium color)	-	10.0 foot-candles
Non-internally illuminated signs (Wall and ground, dark color)	-	15.0 foot-candles
Auto Dealerships-:		
Front Row & Feature Displays	-	20.0 foot-candles
Other Merchandise Areas	-	10.0 foot-candles
Private or Public Parking areas*	0.25 foot-candles	4.5 foot-candles
Vehicular Entrances from Right-of-Way*	1.0 foot-candles	4.5 foot-candles
Playing Fields	-	IESNA**
Automobile Service Station/ Pumping Areas ²¹	10.0 foot-candles	30.0 foot-candles
Drive-in/ Drive-through Canopies ³²	-	15.0 foot-candles
Building Entrance and Exit Pedestrian Pathways*	1.0 foot-candles	5.0 foot-candles
Stairways and Steps*	1.0 foot-candles	5.0 foot-candles
* Maximum-to-minimum light level ratio shall not exceed 12:1		
** Illuminance level specified in Table 7 of IESNA document RP-6-01		
1 A minimum of 50% of the outdoor illumination for Auto Dealerships shall be turned off within one (1) hour after the close of business. The use of flood lights for area illumination is not permitted.		
21 Automobile service station fixtures shall be recessed into the canopy ceiling, with a lens that is flat and flush to the ceiling. No fixtures shall be mounted on the top or the side fascias of the canopy. If the canopy is located within 150 feet of a residential property, the canopy fascia shall be extended to a minimum depth of 12 inches below the canopy ceiling. Preferred light sources are high pressure sodium, metal halide or LED.		
32 All fixtures for drive-in/ drive-through shall either be recessed into the ceiling canopy or mounted such that the lowest portion of the fixture is higher than the canopy fascia.		

Section 4-800 Exterior Lighting Standards Page 4-90

F. Prohibited Lighting

The following outdoor lighting applications are prohibited in all zoning districts

1. Lighting that could be confused for a traffic control device;
2. Lighting that is oriented upwards, except as provided for in this Ordinance;

3. Search lights, laser source lights or any similar high-intensity light except for those used in emergencies by police or fire personnel or at their direction, or for approved temporary lighting through a temporary use permit, issued by the City. **Searchlights for advertising purposes are permitted on any property for no more than four 3-day periods in a calendar year. These lighting installations can only be operated between the hours of sunrise and 11:30 p.m. (Commentary: A permit is not required for searchlight installation; however, it is necessary to contact the Building Division to inform the City when the searchlights will be used.)**
4. Blinking, flashing, moving, scintillating, flickering, changing intensity and changing colors light fixtures not otherwise permitted by Article 4-1000, Signs;
5. Mercury vapor light fixtures;
6. **LED/Neon lights including but not limited to those used for outlining windows, doors, rooflines or buildings is prohibited, unless used as part of signage per the provisions of Article 4-1000 Signs;**
7. Any lighting fixture or device that is operated in such a manner as to constitute a hazard or danger to persons or to safe vehicular operation, **as determined by the City Engineer or his/her assigned designee.**

Section 4-800 Exterior Lighting Standards Page 4-92

H. Procedures

3. Complaints

~~Any 5 property owners or tenants of 5 property owners who have an unobstructed view of the light source from within the building or dwelling unit they occupy shall have the right to file a complaint with the Director of Engineering and Building, stating that the property owner upon which the light source is located is violating the provisions of this Section. Such complaints shall be in writing and shall be subscribed and sworn to by the parties complaining. The complaint shall state the particular provision believed to have been violated and the facts in detail upon which the belief is based. The Director of Engineering and Building in such case shall review the complaint and determine from the facts alleged if there is reasonable cause for such belief. He/She shall notify the property owner against whom the complaint has been made and take such action as is necessary to ensure compliance with the provisions of this Section.~~

Article 10, Definitions Page 10-6

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.**

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____

FILE NO. _____

AN ORDINANCE AMENDING CHAPTER 650 OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS, PROVIDING FOR A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND REPEALING CHAPTER 326, OUTDOOR LIGHTING OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

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

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Crystal Lake Zoning Commission did recommend to the City Council of the City of Crystal Lake the granting of the requested text amendment (File #2010-59); and

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

SECTION 1

Article 2, Land Use, Table 2-300 Permitted Uses Table is amended to include the following additions and corrections:

	F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
COMMERCIAL															
Automotive Repair, Major										L S	L S	L S	P L		2- 400C- 11
Temporary Retail Use/Activity ⁵										L	L				2- 400C- 59
CIVIC															
Park and Recreation Facilities ⁶	L	L	L	L	L	L	L	L	L			L	L	L	2- 400C- 60
⁵ 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. See Article 10, Definitions for further details regarding Temporary Retail Use/ Activity. ⁶ A noncommercial park, playground, or other recreation facility, and/or open space officially designated as a public park or recreation facility by a public taxing body. This use includes community centers.															

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Article 2, Land Use, Review Criteria for Specific Uses Table is amended to include the following additions and corrections:

8. Outdoor Sales, Service, Storage or Display

All outdoor sales, service, storage or display must comply with the following standards:

- a. General: An on-site circulation pedestrian and vehicle plan, illustrating the location of the sales, service, storage or display area shall be provided.
- b. Site design: Outdoor service or storage areas shall be located at the rear of the property. Special attention must be given to locate outdoor service or storage areas away from adjacent residential properties and at the least obtrusive location for adjacent commercial uses.
- c. Screening: All outside service or storage areas shall be screened from view with solid wooden fencing or opaque landscaping, in accordance with the standards in Article 4-700, Fences, Walls and Screening. The height of the fencing shall be adequate to conceal the stock, equipment or materials from view of adjacent properties. In cases where the height of materials exceeds 15 feet in height making it difficult to screen with fencing and landscaping, consideration will be given to the type of materials being stored and the impact of the visibility on the adjacent and surrounding property owners.
- d. Other applicable regulations: Written evidence, that applicable standards and requirements for health and safety protection and licensing by jurisdictions other than the City, as well as those required by the City ordinances, have been met shall be provided.
- e. **All outdoor sales, service, storage and display must meet the Guidelines for Outdoor Sales, Service, Storage and Display that are included in the Appendix.**

16. Pet Care (except Veterinary) Services

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

- a. Leashing and control: All animals arriving at and leaving the property are to be leashed and under control at all times.
- b. Boarding: All boarding shall be conducted inside of the principal building.
- c. Outside run fencing: Outside run areas are to be fenced with at least a 6 foot tall solid ~~wooden~~ fence. Animals may be released to the outside run areas only between 6:00 a.m. and 9:00 p.m. **Chain link fences with slats must be approved by staff as meeting the intent of the solid fence.**
- d. Animal waste: Animal waste on the exterior of the property must be removed on a daily basis and disposed of in a sealed container to prevent odors from affecting adjacent tenants or property owners.
- e. Sound: Where located in multi-tenant buildings, the suite may be required to be sound proofed to a level deemed appropriate by the Building Commissioner depending on the size of the kennel and adjacent uses.
- f. Adjacent to residential properties: Where located immediately adjacent to residential properties, a Special Use Permit approval is required.

19. Sidewalk or Patio Outdoor Seating

Sidewalk or patio outdoor seating areas must comply with the following standards:

~~a. Location: Sidewalk or patio outdoor seating area must be located in accordance with the following standards:~~

- ~~(i) Sidewalk seating is limited to uses which are located within 10 feet of a sidewalk.~~
- ~~(ii) Outdoor seating areas shall not be located in the parking lot landscape islands.~~
- ~~(iii) Outdoor seating areas shall be immediately adjacent to and provide direct access to and from the tenant space within the principal structure for which the outside seating area serves.~~
- ~~(iv) Outdoor seating areas shall be located at least 6 feet from driveways, drive aisles and alleys, and at least 10 feet from intersections. At least 6 feet clear and unobstructed passageway between the tables, chairs and barriers and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions is required. These requirements may be modified by the Zoning Administrator where unusual circumstances exist.~~

~~b. Public sidewalk approval: Outside seating areas located on public sidewalks require City Council approval in accordance with plans submitted and shall be located such that there is at least 6 feet clear and unobstructed passageway between the tables, chairs and barriers and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions. The applicant shall be required to provide the City with a Certificate of Insurance, naming the City as an additional insured, in the amount to be specified by the City. In addition, a standard Hold Harmless agreement between the applicant and the City will be required. Sidewalk or patio outdoor seating areas must comply with the following standards:~~

a. Sidewalk Seating located on public sidewalks shall comply with the following standards:

- (i) City Council approval is required in accordance with plans submitted to the City.**
- (ii) The sidewalk seating area must be located immediately adjacent to the primary restaurant *and must not extend beyond the frontage of the restaurant.***
- (iii) The operation of the sidewalk seating area shall be conducted in such a way as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets or sidewalks. There shall be a minimum of three (3) feet of clear pedestrian passage provided between the seating area and the edge of the pavement.**
- (iv) All kitchen equipment and refuse containers used to service the sidewalk seating shall be located inside the primary food service use.**
- (v) The food service use owner/operator shall be responsible for maintaining the sidewalk seating in a clean, neat, orderly and safe condition. All debris and litter shall be removed daily. Private trash containers in the sidewalk seating area are prohibited. Public sidewalk trash containers shall not be used *by restaurant staff* as a means of disposing of table waste generated by restaurant consumers.**
- (vi) There shall be no signage or logos displayed on any umbrellas in the sidewalk seating area *located in the front yard or a corner side yard.***
- (vii) The applicant shall be required to provide the City with a Certificate of Insurance, naming the City as an additional insured, in the amount to be specified by the City.**

- (viii) A standard Hold Harmless agreement between the applicant and the City will be required.
- b. Outdoor Seating located on private property shall comply with the following standards:
- (i) Outdoor seating areas must be immediately adjacent to and provide direct access to and from the tenant space within the principal structure which the outside seating area serves.
 - (ii) Outdoor seating areas must be located outside required setbacks; however, they are permitted in the front yard. The seating area must meet the minimum standards and requirements of the UDO.
 - (iii) Outdoor seating areas shall not be located in the parking lot landscape islands.
 - (iv) The use of the additional area for outdoor seating will not decrease available parking below that required by the UDO for the food service use.
 - (v) There shall be no signage or logos displayed on any umbrellas in the outdoor seating area *located in the front yard or a corner side yard*.
 - (vi) Outdoor seating areas shall be located at least 6 feet from driveways, drive aisles and alleys, and at least 10 feet from intersections.
 - (vii) A minimum of three (3) feet of clear pedestrian passage, free of barriers and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions is required between the seating area and the edge of the sidewalk.

These requirements may be modified by the Zoning Administrator where unusual circumstances exist.

58. Bee Production (Amended per Ord. 6543)

Bee Production must comply with the following standards:

- a. No more than 2-hives shall be kept or maintained on every parcel or lot of land under 10,000-square-feet in area; provided that for every 10,000-square-foot in excess of 10,000 square feet, there may be one additional hive.
- b. No hive shall be kept or maintained within 25-feet of any property line of the lot or parcel upon which it is situated and no hives are permitted in the front yard or corner side yard. **Where a hive is placed within 25-feet of the property line, a 6-foot-high barrier or vegetated fence is required to direct the bees flight upward or the hive must be raised 6-foot-high, such as on a roof.**
- c. Hive entrances shall be oriented so as to direct bee flight away from the vicinity of patios, decks, balconies or entrances to living spaces on adjoining properties.
- d. A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
- e. No Africanized bees may be kept on the property.
- f. **Proof of registration of the colonies with the State of Illinois Department of Agriculture**

must be provided.

59. Temporary Retail Use/Activity

Temporary Retail Use/Activity must comply with the following standards:

- a. Proof shall be provided that the business is registered with the Illinois Department of Revenue and the point of sale is noted as the City of Crystal Lake for sales tax purposes.**
- b. Any vehicles belonging to the business that display signage must be located in a manner that the vehicle is not visible from the right-of-way.**
- c. All signage associated with the business shall be removed 15 days after the space has been vacated.**

Article 2, Land Use, Section 2-500 B, Review Criteria for Temporary Uses is amended to include the following additions and corrections:

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

6. Seasonal Sale of Farm and Garden Produce

Temporary uses for farm and garden produce sales must comply with the following criteria:

- a. Term: Temporary uses shall be valid for a total time period of not more than 4 months per calendar year.
- b. Items: Only produce and garden plants (i.e., pumpkins, watermelons, flowers and vegetable plants) are allowed.
- c. Location: Stock shall be located away from right-of-ways and must not obstruct pedestrian ways, drive aisles and driveways, and the items must not cause other public health, safety and fire protection issues. Any such sale may not take place from a temporary structure or mobile unit other than an unenclosed sales counter.
- d. Setbacks: The sales area must comply with the setback requirements for a principal structure in the Zoning district for which it is located temporarily.
- e. Other Conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.
- f. Nuisance: The use will be operated in a way that will not constitute a nuisance by reason of an unacceptable level of air or water pollution, excessive noise, offensive odors, or serious hazard to vehicles or pedestrians.**
- g. Teardown: Any structures associated with the temporary use shall be removed in its entirety within 15 days of the termination of the use.**

GUIDELINES FOR OUTDOOR SALES, SERVICE, STORAGE AND DISPLAY (UDO Appendix) is amended to include the following additions and corrections:

Outdoor Display and Sales

f. Propane Tanks: Twenty pound propane tanks are permitted provided the tanks are stored in a locked storage container. No more than ~~4~~ **2** storage containers **are permitted** per property and ~~the each~~ storage container ~~does not exceed~~ **is limited to** 50 cubic feet and 6 feet in height and **must comply** ~~complies~~ with all applicable fire and safety codes. **Containers must be** ~~is~~ located **to provide** ~~to allow~~ at least 3 feet of clearance for pedestrian traffic and advertising **on containers** is limited to 1 square foot.

Article 3, Density and Dimensional Standards, Section 3-300 B Measurements and Exceptions is amended to include the following additions and corrections:

3. Front setback

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, 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. In cases of varying setbacks of existing dwellings, the proposed dwelling or an addition shall be setback no less than the average setback of the **dwellings on the two closest dwellings lots**.

*** Greater setbacks along principal highways are also required for corner side setbacks.**

6. Corner Side Setback

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

8. Side and Rear ~~Yards~~ **Setback** for Accessory Structures

All accessory structures in all zoning districts shall provide a minimum interior side and rear yard setback as indicated in this Article.

Article 3, Density and Dimensional Standards, Section 3-300 C Exceptions is amended to include the following additions and corrections:

e. Rooftop Appurtenances: For non-residential uses, **screening for all cooling towers, elevator or mechanical equipment, vents, intakes or stacks or other rooftop structures shall be exempt from the height limitations. For details on screening requirements for rooftop appurtenances, refer to Article 4-700.** ~~be screened from view by employing the following methods:~~

~~(i) The rooftop appurtenances shall be located in the center of the building (or tenant space) or as far from the street side façade as possible; and/or~~

~~(ii) The rooftop appurtenances shall be painted and maintained in the same color as the roof or top portion of the building; and/or~~

~~(iii) If more than 50% of the rooftop appurtenances are still visible after providing both (i) and (ii) above, then the rooftop appurtenances shall be screened by a parapet wall, solid metal sight screening or similar systems designed for use as screening of these types of devices.~~

~~All screening shall comply with all applicable building and fire codes for appearance, fire rating, wind load and structural integrity. All screening shall be of a material and color compatible with the materials used on the exterior of the building, the intent being that the screening system is designed so as to be an architectural component, consistent with the overall building design.~~

~~Compliance with these screening standards shall be computed within a 150-foot buffer from the property lines, excepting the side abutting a right-of-way, where it shall be computed across the right-of-way (See Illustration). Uses adjacent to residential uses are to provide sound buffering measures. All commercial uses (including but not limited to retail, restaurants, commercial services, institutions) are to screen from all sides, except any side that abuts a manufacturing use (Amended per Ord. 6543).~~

i. ~~Garbage disposal equipment such as trash compactors, shall be screened from public view and shall not be permitted to be stored in the required front and corner side setback yard. Trash containers serving nonresidential uses shall not be located abutting residential property. Refer to Article 4-700 for screening requirements.~~

Article 3, Density and Dimensional Standards, Section 3-400 A 7 Conservation Overlay District is amended to include the following additions and corrections:

a. All new residential subdivisions (excluding the exemptions listed in Section 3 -400 A 4, above) within the Conservation Overlay District shall be required to follow the Conservation **Subdivision** Guidelines in Article 5, Subdivision Standards.

Article 3, Density and Dimensional Standards, Section 3-400B Virginia Street Corridor Overlay District is amended to include the following additions and corrections:

Development within the VSC shall ~~follow the recommendations for renovations and new construction in the~~ **be consistent with the requirements of the** Virginia Street Design Guidelines included in the Appendix.

Article 4, Development and Design Standards, Section 4-100 C, Functional Classification of Streets is amended to include the following additions and corrections:

3. Major Collector

These routes serve as intermediate links between major arterials and points of origin or

destination by providing access and traffic circulation within residential neighborhoods and commercial areas. Refer to the City’s standard cross section details in the Appendix. Examples: Village Road-Barlina Road, Golf Course Road.

6. Alley

An alley (residential or commercial) is a very low volume road designed to provide access to the rear or side of a lot including ~~solid waste~~ **refuse handling** and fire access. Alleys are not intended to carry a significant volume of through traffic. Refer to the City’s standard cross section details in the Appendix.

Section 4-100 C, Functional Classification of Streets

Table 4-100 C 1 Standard Cross-Sections for Major Collector Streets															
	Parkway				Roadway								Parkway		
	Offset to Property Line	Side walk or Off-Street Path	Parkway (Grass)	B-6.4-24 Curb & Gutter [2]	Parking Lane [1]	Bike Lane [1]	Travel Lane [1]	Median	Travel Lane [1]	Bike Lane [1]	Parking Lane [1]	B-6.4-24 Curb & Gutter [2]	Parkway (Grass)	Sidewalk	Offset to Property Line
C-1	1'	5'	Min. 6'	1'-7" 2' 7"	8'		12'	--	12'		8'	1'-7" 2' 7"	Min. 6'	5'	1'
C-2	1'	8'-10'	Min. 6'	1'-7" 2' 7"	--	--	12'	12'	12'	--	--	1'-7" 2' 7"	Min. 6'	5'	1'
C-3	1'	5'	Min. 6'	1'-7" 2' 7"	--	4'	14'	--	14'	4'	--	1'-7" 2' 7"	Min. 6'	5'	1'
C-4	1'	8'-10' [3]	Min. 6'	1'-7" 2' 7"	--	--	18' [3] [4]	--	18' [3] [4]	--	--	1'-7" 2' 7"	Min. 6'	5'	1'

[1] Outer lane width does not include gutter. [2] Curb width includes gutter. [3] Option: Mark wide outer lane with “sharrows” (shared lane pavement markings per MUTCD) in lieu of 10 feet shared path. [4] Includes on-street parking (no striping)

Article 4, Development and Design Standards, Section 4-100 D 1 d. Clear Sight Triangle is amended

to include the following additions and corrections:

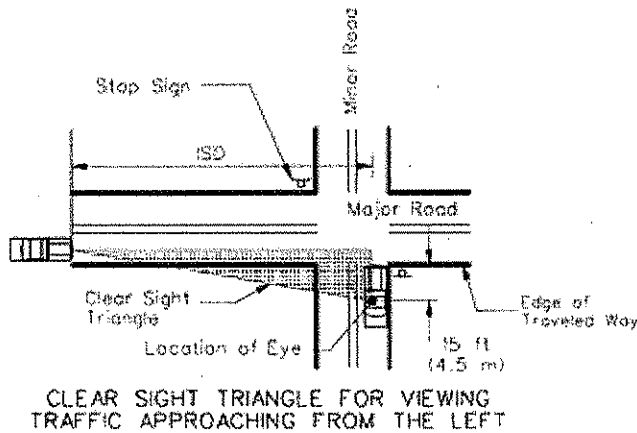
Clear Sight Triangle: On any street intersection, a clear sight triangle shall be established according to the dimensions in the Table 4-100 D 1 below.

- (i) No construction, planting or grading shall be permitted to be erected, placed, planted or allowed to grow within the clear sight triangle in such a manner as to materially impede vision.
- (ii) A clear view is to be maintained between a height of 2 1/2 feet and 10 feet above the plane surface of this triangular area.
- (iii) Permanent easements may be required to preserve the clear zone.

Table 1-400 D 1 Clear Sight Triangle Dimensions*

		Road-B				
Road-A	Major Arterial	X: 60 Y: 60	X: 60 Y: 50	X: 60 Y: 40	X: 60 Y: 30	X: 60 Y: 20
	Minor Arterial	X: 50 Y: 60	X: 50 Y: 50	X: 50 Y: 40	X: 50 Y: 30	X: 50 Y: 20
	Major Collector	X: 40 Y: 60	X: 40 Y: 50	X: 40 Y: 40	X: 40 Y: 30	X: 40 Y: 20
	Minor Collector	X: 30 Y: 60	X: 30 Y: 50	X: 30 Y: 40	X: 30 Y: 30	X: 30 Y: 20
	Local or Non-Residential Driveway	X: 20 Y: 60	X: 20 Y: 50	X: 20 Y: 40	X: 20 Y: 30	X: 20 Y: 20

* All dimensions are in feet unless otherwise stated.



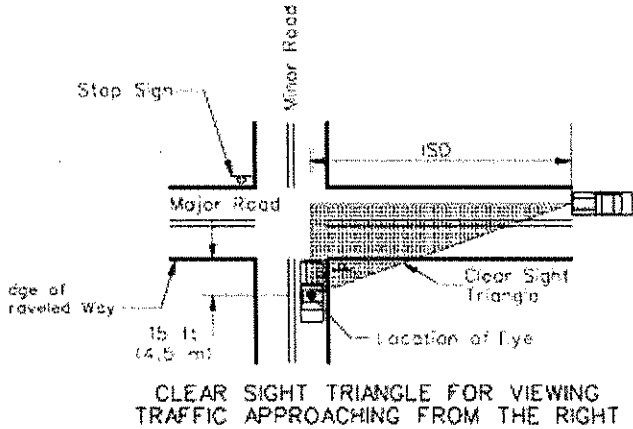


Table 4-100 D 1 Clear Sight Triangle Dimensions

a. All-Way Stop Controlled Intersections

Design Speed = Posted Speed Limit + 5 mph

Posted Speed Limit (mph)	Dimension "X" Stopping Sight Distance (SSD), feet
25	200
30	250
35	305
40	360
45	425
50	495
55	570

b. Partially Controlled Intersection (Stop Controlled on Minor Road)

Design Speed = Posted Speed Limit + 5 mph

Posted Speed Limit (mph)	Dimension "X" Stopping Sight Distance (SSD), feet
25	335
30	390
35	445
40	500
45	555
50	610
55	665

Article 4, Development and Design Standards, Section 4-200 B. Off-Street Parking and Loading is amended to include the following additions and corrections:

1. General

All buildings, structures and land uses and all modifications, initiated after the effective date of this Ordinance, shall be provided with accessory off-street parking or loading facilities as required by this Ordinance. A building or structure for which a building permit has been issued

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prior to the effective date of this Ordinance shall comply with the requirements in effect at the time of issuance of the permit. **Expansion of parking areas, change in parking lot access, or other changes to the parking lot will require improvements as outlined in the table below.**

	Required number of parking spaces	Parking Lot Setbacks	Parking Lot Curbing	Parking Lot Landscaping	IL Accessibility Code Compliance	Wheel Stops
Expansion of Parking Area -- Up to 10 spaces -- 11 or more additional spaces	X	X	X X	X	X X	X X
Change in parking lot access			X		X	
Parking lot sealcoat/stripping only (same as existing layout)			X		X	X
Repair of storm sewer structure					X	
Parking lot patching only					X	
Parking lot overlay (same as existing layout)					X	
Parking lot remove and replace	X	X	X	X	X	X
Remove and replace curb			X		X	
Add curb			X		X	

Article 4, Development and Design Standards, Section 4-200 D. Off-Street Parking and Loading is amended to include the following additions and corrections:

4. Minimum number of spaces required

~~Each use must provide adequate parking spaces on-site to accommodate the normal parking demand generated by such use.~~ **Every use must provide adequate parking spaces on-site in accordance with the provisions of this Ordinance. If the normal parking demand generated by a use is greater than the parking requirement as determined by this Ordinance, adequate parking to meet the demand must be provided.** All uses must provide adequate parking for business patrons as well as employees. The minimum required number of parking spaces to be provided for each use shall be per Table 4-200 D1 of this Ordinance. Uses that are not listed in Table 4-200 D1 shall provide parking spaces per the provisions in Planning Advisory Service (PAS), Report 510/511, Parking Standards, published by the American Planning Association, which is adopted by reference herewith, as amended **(Reduced requirements shall apply to uses in the Downtown District and the Virginia Street Corridor**

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District Overlay District per Sections 4-200 B 5 and 3-400 B). For convenience, required parking for certain customary uses is included in the Appendix. Please contact the Planning and Economic Development Department to request parking standards for uses not listed in Table 4-200 D 1 or the Appendix.

Article 4, Development and Design Standards, Section 4-200 Off-Street Parking and Loading, Section 4-200 D 4 Minimum number of spaces required is amended to include the following additions and corrections:

(See following page)

TABLE 4-200 A MINIMUM OFF-STREET PARKING REQUIREMENTS

DU = Dwelling Unit SF = Square Footage GFA = Gross Floor Area NFA= Net Floor Area

RESIDENTIAL		
Household Living	Dwelling, Single-Family detached	2 per DU, one space must be an enclosed garage and one can be a driveway at least 21 feet long.
	Dwelling, Two-Family	2 per DU, one space must be an enclosed garage and one can be a driveway at least 21 feet long.
	Dwelling, Single-Family Attached	2 per DU, one space must be an enclosed garage and one can be a driveway at least 21 feet long + 0.25 guest parking per unit.
	Dwelling, Multi-Family	1 per efficiency unit + 1.5 per 1-bedroom unit + 2 per 2/3/4-bedroom unit + 0.25 guest parking per unit.
	Dwelling, manufactured home	2 per DU
	Dwelling, Upper story dwelling above non-residential use	1 per DU
	Congregate Living	Group Dwelling
Family care		1 per employee + 1 per 3 adults
Continuing Care Retirement Community		0.5 per DU (where centralized amenities like dining, housekeeping, etc are provided)
COMMERCIAL		
Motor Vehicle and Parts Dealer	Automobile Dealers	1 per 5,000 square feet of outdoor display/ storage area + 2 per service bay + 1 per employee working the largest shift.
	Automotive Parts, Accessories and Tire Stores	1 per 300 SF GFA
	Automotive Accessory Sales and Installation	1 per 300 SF GFA
Vehicle Repair & Maintenance	Automotive Repair, Major and Minor; Automotive Oil change and Lubrication Shops	3 per service bay + 1 per employee on the largest shift
	Car Washes	Stacking spaces as required by this Ordinance + 1 per employee working the largest shift.
	Sales Oriented Uses	5 per 1,000 GFA
	Service Oriented Uses	5 per 1,000 GFA
	Sales Oriented Uses 25,001- 400,000 SF	3.3 per 1,000 SF GFA
Furniture and Home Furnishings Store	Furniture Stores; Floor Covering Stores; Window Treatment Stores; All other Home Furnishings Store	2 per 1,000 SF GFA
Lawn & Garden Equipment and Supplies Store	Nursery, Garden Center, and Farm Supply Store	1 per 300 SF + 1 per 1,000 SF outdoor nursery lot.
Health & Personal Care Stores	Pharmacies or Drug store (with drive through)	4.5 per 1,000 SF GFA
Gasoline Stations	Gasoline Stations (with or without convenience stores) (Where vehicle repair or maintenance or accessory car wash	1 per 4 pumps + 1 per 350 SF per GFA for the building where other retail goods are offered for sale.

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	facilities are provided, parking and stacking spaces must be provided as required by this Ordinance).	
Miscellaneous Store Retailers	Used Merchandise Stores	3.5 per 1,000 SF GFA
Personal and Laundry Services	Barber Shops, Beauty Salons, Nail Salons	1 per station or chair + 1 per employee on the largest shift
	Pet Care (except Veterinary) Services	3.3 per 1,000 SF GFA
	Funeral Home/ Crematorium	8 per reposing room + 1 per 4 seats in each chapel + 1 per vehicle used in the conduct of the business
	Tattoo, Massage	4.5 per 1,000 SF GFA
Food Services & Drinking Places	Restaurant, Full Service	1 per 250 SF GFA OR 1 per 4 seats based on the capacity of the fixed or moveable seating area, whichever is greater
	Restaurant, Limited Service; Cafeterias, Grill Buffets and Buffets; Snack and Non-alcoholic beverage bars	1 per 100 SF GFA + stacking spaces for any drive-through as required by this Ordinance
	Drinking Places	1 per 3 seats of the design capacity or 1 per 100 square feet of the gross floor area, whichever is greater
Educational Services	Nursery school, preschool	1 per 2 classrooms + 1 per employee on largest shift
	Elementary and secondary schools	1 per classroom + 1 per employee on the largest shift OR 1 per 3 auditorium or stadium seats; whichever is greater
	High schools	1 per classroom + 1 per every 5 students + 1 per employee on the largest shift OR 1 per 3 auditorium or stadium seats on the largest shift; whichever is greater
	Colleges, Universities and Professional Schools	Site Specific
	Technical or Trade Schools	1 per 3 students + 1 per employee on the largest shift
COMMERCIAL RECREATION		
	Bowling facility	3 per alley + spaces as required for accessory uses
	Billiards	2 per table + spaces as required for accessory uses
	Health clubs	5.9 per 1,000 SF GFA
	Physical fitness facilities, weight training centers, strength development centers, weight loss centers	6.4 per 1,000 SF GFA
	Skating rink	30 percent of capacity
	Mini golf ,batting cages	
	Golf course, private	10 per hole or 5 per hole for par 3 courses
	Golf driving range	3 per tee
	Banquet hall, ballroom, dancehall	1 for every 4 seats in principal auditorium or assembly room
	Lodge membership club (seating capacity of less than 300 in main activity area)	1 per 300 SF OR 1 per 3 persons in accordance with design seating capacity

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	Lodge membership club (seating capacity of 300 or greater in main activity area)	1 per 300 SF OR 1 per 3.5 persons in accordance with design seating capacity
	Non-residential indoor or outdoor swimming pools, wave pools	10 per 1,000 SF swimming pool water surface + 1 per employee on largest shift + as required for ancillary uses
	Shooting range	1 per 1,000 SF GFA + 1 per shooting bay + as required for ancillary uses
	Large-scale entertainment venue	Site Specific
	Amusement and Theme Parks (including indoor / outdoor water parks)	Site Specific
	Convention center	1 per 3 persons of maximum fire rated capacity
	Marina	1 per 2 slips
OVERNIGHT LODGING		
Overnight Lodging	Hotels (except Casino Hotels) and Motels	1 per every 3 guest rooms + 1 per employee on largest shift + 75% of spaces required for on-site accessory uses
	Resorts	Site Specific
	Bed and Breakfast Inn	2 + 1 per guest room
	Hostel	1 per 3 resident beds + 1 per employee on largest shift
OFFICES		
Offices	Professional offices	1 per 250 SF GFA
	Offices of Physicians, Dentists and other health practitioners	1 per 150 SF GFA
	Financial institution without drive-through	1 per 250 SF GFA
	Financial institution with drive-through	1 per 350 SF GFA + stacking spaces for the drive-through as required per this Ordinance
	Government offices	1 per 300 SF GFA used by the public + 1 per 600 SF GFA not used by public
CIVIC		
Community Facilities	Arts, performing arts center	1 per 4 seats in accordance with design seating capacity
	Museum	4 per 1,000 SF Net Floor Area
	Movie theatre	Single Screen: 0.5 per seat; Up to 5 screens: 0.33 per seat; 5 to 10 screens: 0.3 per seat; Over 10 screens: 0.27 per seat
	Library & Archives	4.5 per 1,000 SF GFA
DAY CARE		
Day Care	Home Day Care	1 per 6 children + required parking for the dwelling unit
	Commercial child care center	1 per employee + 1 per 6 children of licensed capacity
MEDICAL USES		
Medical Facility	Outpatient Care Centers (including Freestanding Ambulatory Surgical and Emergency Centers)	7 per 1,000 SF GFA
	Blood and Organ Banks	1 per 300 SF GFA
	Hospitals	2 per patient bed + 1 per 300 SF GFA for administrative areas

RELIGIOUS ESTABLISHMENTS		
Religious Organizations	Religious Organizations	1 per 4 fixed seats + 1 per 8 feet of bench length + 1 per 28 SF in areas where no permanent seats are maintained in the main place of worship + spaces required for accessory uses
UTILITIES		
Utilities	Major utilities	1 per employee on the largest shift
	Wireless communication Facilities/ Radio transmission tower	1 per service provider with equipment on-site
	Landfill and Transfer Station	Site Specific
PARKING & TRANSPORTATION		
Transportation	Airport, heliport	Site Specific
INDUSTRIAL		
Industrial	Industrial Uses	1 per 2 employees based on the maximum number of employees on a single shift which the plant is designed to employ + 1 space per vehicle used in the conduct of the business
WAREHOUSING, DISTRIBUTION & STORAGE		
Warehousing, Distribution & Storage	Warehousing distribution	1 per 1,000 SF NFA (up to 10,000 SF) + 1 per 2,000 SF NFA above 10,000 SF + as required for office use + 1 per vehicle used in conduct of business
	Self storage, mini warehouse	1 per 4,000 SF NSF up to 20,000 SF + 1 per 10,000 SF NFA above 20,000 SF + 1 per vehicle used in the conduct of the business
OPEN		
Agricultural	Farms & Farmhouses	DU requirement only
PARKS & OPEN SPACE		
Parks & Open Space	Campground	Site Specific
	Park	Site Specific
	Preservation areas	Site Specific
	Private Recreation field	Site Specific
TEMPORARY		
Temporary	Construction trailer and sales office	1 per 250 SF GFA
	Holiday Tree and Decoration Sales	1 per employee + 1 per 500 SF display area (indoor and outdoor), including walkways

Article 4, Development and Design Standards, Section 4-300 Tree Preservation, Section 4-300 D 3. Tree List is amended to include the following additions and corrections:

Common Name	Botanical Name	Cultivar	Tree Type	Species Group
Ash, Blue	Fraxinus quadrangulata	"Newport"	Shade Tree	B D
Ash, European	Fraxinus excelsior	"Aurea", "Hessei"	Shade Tree	B D
Ash, Green	Fraxinus	"Honeyshade",	Shade Tree	A D

	pennsylvanica	“Marshall Seedless”, “Patmore”, “Summit”		
Ash, Mountain	Sorbus americana		Ornamental/ Small	D
Ash, White	Fraxinus americana	“Autumn Applause”, “Autumn Purple”, “Champaign County”, “Chicago Regal”, “Elk Grove”, “Rosehill”, “Royal Purple”, “Skyline”, “Windy City”	Shade Tree	B D

Article 4, Development and Design Standards, Section 4-700 Fences, Walls and Screening, Section 4-700 C Required Fences, Walls and Screening is amended to include the following additions and corrections:

2. Refuse Containers and Facilities

Non-residential properties: Refuse containers and facilities shall be hidden by an opaque wall or opaque fence of sufficient height to screen the bin and any appurtenances, but not less than 6 feet in height. Walls and fences shall be constructed to match the architectural detail of the principal structure and contain a securable gate to minimize blowing refuse. Trash containers serving nonresidential uses shall not be located abutting residential property. **Trash/refuse containers shall be placed only on an approved surface (“Approved surface” shall mean asphalt/bituminous, concrete/PCC, brick pavers, and any surface that is approved by the City’s Engineering and Building Department).**

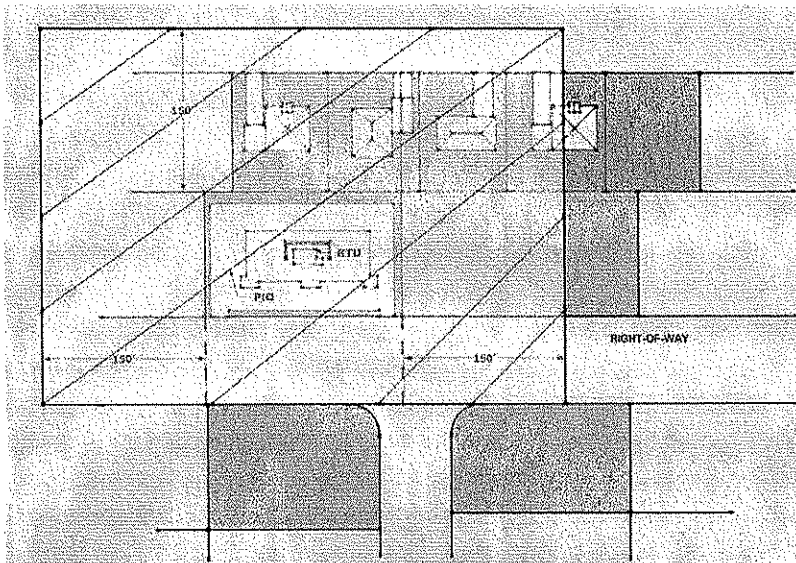
Residential Properties: Garbage disposal equipment for residential properties shall not be permitted to be stored in the front and corner side yard. (Amended per Ord. 6543)

7. Refer to Section ~~3-300 C~~ for screening requirements for roof-top appurtenances. **Rooftop Appurtenances: For non-residential uses, all cooling towers, elevator or mechanical equipment, vents, intakes or stacks or other rooftop structures shall be screened from view by employing the following methods:**

- (i) **The rooftop appurtenances shall be located in the center of the building (or tenant space) or as far from the street side façade as possible; and/or**
- (ii) **The rooftop appurtenances shall be painted and maintained in the same color as the roof or top portion of the building; and/or**
- (iii) **If more than 50% of the rooftop appurtenances are still visible after providing both (i) and (ii) above, then the rooftop appurtenances shall be screened by a parapet wall, solid**

metal sight screening or similar systems designed for use as screening of these types of devices.

All screening shall comply with all applicable building and fire codes for fire rating, wind load and structural integrity. All screening shall be of a material and color compatible with the materials used on the exterior of the building, the intent being that the screening system is designed so as to be an architectural component, consistent with the overall building design. Compliance with these screening standards shall be computed within a 150-foot buffer from the property lines, excepting the side abutting a right-of-way, where it shall be computed across the right-of-way (See Illustration). Uses adjacent to residential uses are to provide sound buffering measures. All commercial uses (including but not limited to retail, restaurants, commercial services, institutions) are to screen from all sides, except any side that abuts a manufacturing use.



Article 4, Development and Design Standards, Section 4-800 Exterior Lighting Standards, Section 4-800 C. Conformance is amended to include the following additions and corrections:

C. Conformance

2. ANY non-conforming luminaire or light installation is required to comply with the requirements of this Ordinance or be removed within 30 days if any of the following criteria are met:

- a. The luminaire is producing glare that is deemed by the City to create a hazard or nuisance.
- b. The height or location of the luminaire is changed.
- c. The luminaire is changed or replaced (except routine maintenance and bulb replacement of equal light output), except if it is a part of a parking lot lighting installation consisting of an array of 3 or more identical luminaires and poles or supporting structures.
- d. The supporting structure for the luminaire is changed or replaced except if it is part of a parking lot lighting installation consisting of an array of 3 or more identical luminaires and poles or supporting structures
- e. The use of a luminaire is resumed after a period of abandonment.

3. ALL non-conforming luminaires or light installations existing on any zoning lot in any zoning district are required to comply with the requirements of this Ordinance or be removed within 30 days if any of the following criteria are met:

- a. A cumulative total of 50% or more of the non-conforming luminaires or their supporting structures are changed, replaced (excluding routine maintenance and bulb replacement of equal light output) or relocated.
- b. A "Principal Structure" on said zoning lot is expanded by an amount equal to or greater than 50% of the total square footage of the structure immediately prior to such expansion.
- e. There is a change in zoning or use of said lot.

Article 4, Development and Design Standards, Section 4-800 Exterior Lighting Standards, Section 4-800 D Illumination Standards is amended to include the following additions and corrections:

Illuminated Surface	Minimum Light Level	Maximum Average Light Level
Non-internally illuminated signs (Wall and ground, light color)	-	5.0 foot-candles
Non-internally illuminated signs (Wall and ground, medium color)	-	10.0 foot-candles
Non-internally illuminated signs (Wall and ground, dark color)	-	15.0 foot-candles
Auto Dealerships ¹ :		
Front Row & Feature Displays	-	20.0 foot-candles
Other Merchandise Areas	-	10.0 foot-candles
Private or Public Parking areas*	0.25 foot-candles	4.5 foot-candles
Vehicular Entrances from Right-of-Way*	1.0 foot-candles	4.5 foot-candles
Playing Fields	-	IESNA**
Automobile Service Station/ Pumping Areas ² ₁	10.0 foot-candles	30.0 foot-candles
Drive-in/ Drive-through Canopies ³ ₂	-	15.0 foot-candles
Building Entrance and Exit Pedestrian Pathways*	1.0 foot-candles	5.0 foot-candles
Stairways and Steps*	1.0 foot-candles	5.0 foot-candles

* Maximum-to-minimum light level ratio shall not exceed 12:1

** Illuminance level specified in Table 7 of IESNA document RP-6-01

~~1 A minimum of 50% of the outdoor illumination for Auto Dealerships shall be turned off within one (1) hour after the close of business. The use of flood lights for area illumination is not permitted.~~

²₁ Automobile service station fixtures shall be recessed into the canopy ceiling, with a lens that is flat and flush to the ceiling. No fixtures shall be mounted on the top or the side fascias of the canopy. If the canopy is located within 150 feet of a residential property, the canopy fascia shall be extended to a minimum depth of 12 inches below the canopy ceiling. Preferred light sources are high pressure sodium, metal halide or LED.

³₂ All fixtures for drive-in/ drive-through shall either be recessed into the ceiling canopy or mounted such that the lowest portion of the fixture is higher than the canopy fascia.

Article 4, Development and Design Standards, Section 4-800 Exterior Lighting Standards, Section 4-800 D 5 Permitted Hours for Outdoor Lighting is amended to include the following additions and corrections:

a. Commercial Lighting Zones

Except for street lighting **and sign lighting**, outdoor lighting on any zoning lot in a commercial lighting zone is permitted to be lighted between 1/2 hour before sunset and 10:00 p.m. or 1 hour after the close of business based on normal hours of operation of the business, whichever is later **(Refer to Section 4-1000 L for Internally Illuminated Signs)**. Thereafter, for security and safety purposes, security lighting is permissible at a total light output from all outdoor lighting not greater than 50% of the total light output from all outdoor lighting located on the zoning lot during permitted outdoor lighting hours. Lighting for security and safety purposes shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways or to illuminate outdoor storage areas. During security lighting hours, no luminaire may exceed its light output exhibited during permitted outdoor lighting hours.

Article 4, Development and Design Standards, Section 4-800 Exterior Lighting Standards, Section 4-800 F. Prohibited Lighting is amended to include the following additions and corrections:

F. Prohibited Lighting

The following outdoor lighting applications are prohibited in all zoning districts

1. Lighting that could be confused for a traffic control device;
2. Lighting that is oriented upwards, except as provided for in this Ordinance;
3. ~~Search lights~~, laser source lights or any similar high-intensity light except for those used in emergencies by police or fire personnel or at their direction, or for approved temporary lighting **through a temporary use permit, issued by the City. Searchlights for advertising purposes are permitted on any property for no more than four 3-day periods in a calendar year. These lighting installations can only be operated between the hours of sunrise and 11:30 p.m. (Commentary: A permit is not required for searchlight installation, however, it is necessary to contact the Building Division to inform the City when the searchlights will be used.)**
4. **Blinking, flashing, moving, scintillating, flickering, changing intensity and changing colors light fixtures not otherwise permitted by Article 4-1000, Signs;**
5. Mercury vapor light fixtures;
6. **LED/Neon lights including but not limited to those used for outlining windows, doors, rooflines or buildings, unless used as part of signage per the provisions of Article 4-1000 Signs;**
7. **Any lighting fixture or device that is operated in such a manner as to constitute a hazard or danger to persons or to safe vehicular operation, as determined by the City Engineer or his/her assigned designee.**

Article 4, Development and Design Standards, Section 4-800 Exterior Lighting Standards, Section 4-800 H. Procedures is amended to include the following additions and corrections:

H. Procedures

~~3. Complaints~~

~~Any 5 property owners or tenants of 5 property owners who have an unobstructed view of the light source from within the building or dwelling unit they occupy shall have the right to file a complaint with the Director of Engineering and Building, stating that the property owner upon which the light source is located is violating the provisions of this Section. Such complaints shall be in writing and shall be subscribed and sworn to by the parties complaining. The complaint shall state the particular provision believed to have been violated and the facts in detail upon which the belief is based. The Director of Engineering and Building in such case shall review the complaint and determine from the facts alleged if there is reasonable cause for such belief. He/She shall notify the property owner against whom the complaint has been made and take such action as is necessary to ensure compliance with the provisions of this Section.~~

Article 4, Development and Design Standards, Section 4-1000 Signs, Section 4-1000 C Standards for all Signs is amended to include the following additions and corrections:

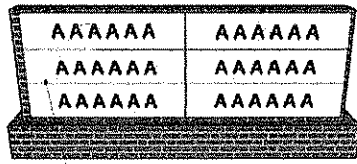
3. Sign Copy Area Calculation

a. General: The sign copy area shall be the display surface of the sign: the portion of the sign face upon which any copy may be placed. Copy includes letters, words, symbols, color, background, trademarks, numbers or the like.

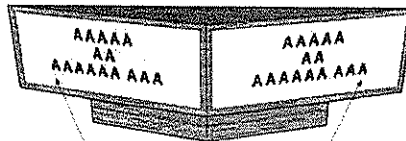
b. Size of Sign Copy Area: In the case of freestanding signs, the sign copy area consists of the entire surface area of the sign on which copy could be placed. In the case of cabinet wall signs, the copy area consists of the entire surface area of the cabinet sign on which copy could be placed. In the case of channel letters, the copy area is determined by the smallest polygon **square, circle, rectangle or triangle, or a combination thereof**, which completely encompasses all copy in a single line. Where logos, trademarks, symbols, etc. are present, the smallest polygon **square, circle, rectangle or triangle, or a combination thereof**, or circle encompassing the entire logos, trademarks, symbols, etc. will be used. Any backlit area shall be considered part of the sign copy area (*Amended per Ord. 6543*). **The sign area of a free-form or sculptural sign shall be calculated as fifty percent of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.**

e. Double-faced Signs

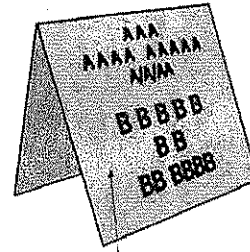
~~When a sign has 2 or more display faces and only 1 face can be seen at one time from one point, the copy area of only 1 face shall be considered the sign copy area. When a sign has 2 or more display faces, more than 1 of which can be seen at one time from one point, all areas that can be viewed simultaneously shall be considered the sign copy area. In general, it is presumed that where sign faces are placed at less than 45 degrees apart, both faces are not readable from any one point. Where the interior angle between 2 sign faces is 45 degrees or less, the sign area is computed as the area of one face only. If the angle between 2 sign faces is greater than 45 degrees, the sign area is computed as the sum of the sign faces.~~



Single face counts towards sign copy area



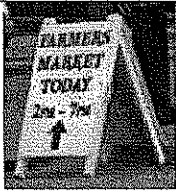


Both faces count towards sign copy area











Single face counts towards sign face area

Article 4, Development and Design Standards, Section 4-1000 Signs Section 4-1000 F Commercial Signs is amended to include the following additions and corrections:

TABLE 4-1000 F (1) Commercial Signs

Quantity	Sign Type	Size (sq. ft.)	Height (Feet)	Notes	
1	A-Frame	6	3	Permitted in Location B. The sign shall not block public access and must be located within 10 feet of the primary entrance and not interfere with pedestrian traffic or violate standards of accessibility as required by the ADA or other applicable accessibility codes. The use of A-frame signs is limited to business hours only. Signs must be stored indoors at all other times. The signs must not be used outdoors when high winds or heavy snow conditions exist.	
1	Flag	20	25	Permitted in Location B. The flag pole or flag shall not be located on public property or attached to the top of the roof.	
1*	Free-standing	80*	9	Permitted in Location A. The base width shall be a minimum of 80% of the sign width and contain architectural elements / materials from the building.	
1*	Free-standing	50* Lots with less than 50 feet of public street frontage are limited to 32 SF	8 or 3.5 if within 10 feet of the property line	Permitted in Location B. The base width shall be a minimum of 80% of the sign width and contain architectural elements or materials from the building.	

1*	Free-standing	50	8	Permitted in Location C. The base width shall be a minimum of 80% of the sign width and contain architectural elements or materials from the building.	
1*	Free-standing	60	8	Permitted for food service drive-through tenants only. Must be located behind the front building line.	
Multiple	Free-standing	4	3	Way-finding Signs	
1*	Limited Duration [^]	32 (20*)	5 (8*)	A sign providing information on an event or occurrence. The sign is permitted 30 days prior to and 2 days following the event or occurrence and is limited to 4 permits per calendar year. For the purpose of this Article, an event is an occurrence lasting no more than 7 days. Signs must be located 10-feet from the property line. (Amended per Ord. 6543) * Where a feather flag/banner is used as a limited duration sign, they are limited to 20 square foot in area and 8 foot in height.	 
1*	Projecting	9	Between 8 and 15 feet above mean ground level	Permitted in Location B only if the projecting sign replaces the permitted wall sign. Limited to a maximum of 4 foot projection and 3 foot width	
Varies Multiple	Temporary	16 32 (For Sign Area "A")	6 (for Free-Standing signs)	A temporary wall sign shall not extend above the roof eave or top of the parapet wall. Signs must be located 10-feet from the property line. 1 sign permitted per 50 lineal feet of frontage, not to exceed 5 signs. (Amended per Ord. 6543)	
Multiple*	Wall (Single tenant building)	75 ^ max. for any one sign OR on one facade (150 total)	Must not extend above the roof line	(Amended per Ord. 6543)	
2* per Tenant (interior) 3* per	Wall (Multi-tenant Building)	75 ^ (50 max. for any one sign OR	Must not extend above	For all signs: No single sign or all signs on a single facade can exceed 50 SF max. along a maximum of 70 percent of the individual tenant-suite frontage.	

tenant (corner)		on one facade	roof line	Interior tenants can install signs on two façades and corner tenants can install signs on three façades. The 75-SF maximum can be split between 2 signs for interior suites, or up to 3 signs for corner suites. (Amended per Ord. 6543)	
<p>^ In addition to the wall signage allowances listed above, for buildings or tenant spaces with at least 100 foot of primary frontage along a public street, 1.5 square foot of signage for every linear foot of frontage along the public street up to 250 square foot is permitted. For every additional 100 linear feet of building frontage along a public street over 166 feet, an additional 10 square feet of wall sign is permitted. For buildings or tenant spaces with at least 100 foot of primary frontage along a public street, for every additional sign character over nine characters and up to 14 characters, an additional 10 square feet of wall sign is permitted. For every additional 100 feet of building setback from the roadway beyond 700-feet, an additional 10 square feet of wall sign is permitted.</p> <p><i>The area allowance for Limited Duration signs can also be increased in accordance with the standards listed above.</i></p>					
1*	Wall	25	Must not extend above the roof line	Permitted in Location B only if the sign is located on the rear of the building and parking or an entrance is present along the rear of the building where the sign is proposed.	
Multiple	Window	25% maximum of window/door area	N/A	Signage may not cover more than 25% of the total window or door area for any elevation. Vehicle window signs shall not exceed 4 square feet of signage. Window signs are affixed either on the inside or outside of the glass.	

For Planned Unit Developments, a sign change that accompanies a change in occupancy will require compliance with the sign area requirements of this Ordinance. Other PUD requirements pertaining to signs shall apply.

Article 5, Subdivision Standards, Section 5-200 F. Required Land Improvements is amended to include the following additions and corrections:

c. Maintenance of the parkway area, defined as that area adjacent to any lot or parcel, between the property line and any street shoulder or curb, shall be the responsibility of the property owner of said lot or parcel, including but not limited to:

- (iii) The curb (~~depressed~~) or flare from the pavement edge extended, for a private driveway approach.
- (iv) Tree ~~trimming~~ and watering to assure a healthy, well-shaped appearance and maintaining adequate roadway and sidewalk clearances.

Article 7, Nonconformities, Section 7-200 Nonconforming Recorded Lot is amended to include the following additions and corrections:

- (iii) Front setback: The front setback shall not be less than 1) 70% of the required front yard as

listed in Article 3 of this Ordinance; or 2) the average existing setback of the ~~two closest~~ dwellings **on the two closest lots**, whichever is greater.

(iv) Corner side setback: The corner side setback shall not be less than 1) 70% of the required yard abutting street as listed in Article 3 of this Ordinance; or 2) the average existing setback of ~~all the other~~ principal structures **on the two closest lots** on the block of the abutting street, whichever is greater. (Requirement also applies to Yard abutting Street)

Article 7, Nonconformities, Section 7-300 Nonconforming Uses and Structures is amended to include the following additions and corrections:

3. Normal maintenance and repairs shall be permitted.

4. Enlargement or structural alterations of an existing nonconforming building or structure in the appropriate zoning district shall be permitted, provided that the enlargement or alteration does not increase the nonconformity. **(Exception: An exterior stairway and landing are permitted to encroach into a setback to meet the building code requirement, but not more than a 4-foot x 4-foot landing)**

9. Any changes to a non-conforming parking lot will require conformance with Section 4-200 B 1.

Article 9, Administration, Section 9-200 I Notice is amended to include the following additions and corrections:

3. In addition to the above, notice, by means of first class mail, shall be sent, by the petitioner, to the owners of all property adjoining, and within 200 feet adjacent to the property in question. The 200 feet shall not include public ~~streets~~ **right-of-ways** or alleys. Such notice shall be given, within 15 days but not more than 30 days, prior the hearing or public comment period. For the purpose of notice, "owner" shall mean the person, to whom the most recent statement of real property taxes on the property in question was sent, or the most current owner of record. Mailing of same shall be certified to the hearing body, as required.

The petitioner shall be required to resend the notice when the matter is requested to be continued, at the petitioner's request to either a future meeting date that is at least 2 months beyond the original meeting date that the notice was published for or when more than 3 continuations are requested.

Article 9, Administration, Section 9-200 K Fees is amended to include the following additions and corrections:

DRAFT

Request	Fee
Appeal	\$250
Cul-de-Sac	\$5,000 (per cul-de-sac)
PUD Amendment	\$350 \$355
PUD, Conceptual Review	\$200
PUD, Preliminary	≤2 acres = \$750 \$755 , >2 acres = \$750 \$755 +\$50/additional acre or portion thereof
PUD, Final	≤2 acres = \$500 \$505 , >2 acres = \$500 \$505 +\$50/additional acre or portion thereof
Rezoning (to Non-Residential)	≤2 acres = \$500 \$505 , >2 acres = \$500 \$505 +\$50/additional acre or portion thereof
Rezoning (to Residential)	≤2 acres = \$300 \$305 , >2 acres = \$300 \$305 +\$50/additional acre or portion thereof
Right-of-Way Vacation	\$300
Special Meetings	\$500
Special Use Permit	≤2 acres = \$350 \$355 , >2 acres = \$500 \$505 +\$50/additional acre or portion thereof
Special Use Permit, Home Day Care	\$75 \$80
Temporary Use Permit, Administrative or City Council Approval	\$25 \$40
Temporary Use Permit, City Council Approval	\$75
Text Amendment	\$350
Variation, Simplified Residential	\$75 \$100
Variation, Non-Residential	≤2 acres = \$300 \$305 , >2 acres = \$500 \$505
Zoning Verification	\$25
Tree Removal Permit (Non-Residential)	\$25
Tree Removal Permit (Residential)	\$10
Limited Use Permit	\$125 (\$75 Home Day Care and \$25 Home Occupation)
Annexation	\$750/acre
Subdivisions, Administrative	\$175
Subdivisions, Minor	≤2 acres = \$300, >2 acres = \$300+\$50/additional acre or portion thereof
Subdivisions, Major	≤2 acres = \$300, >2 acres = \$300+\$50/additional acre or portion thereof (Preliminary Plat) ≤2 acres = \$600, >2 acres = \$600+\$50/additional acre or portion thereof (Final Plat)
PUD, Watershed	≤2 acres = \$350 \$355 , >2 acres = \$500 \$505 +\$50/additional acre or portion thereof

Article 10, Definitions, Section 10-200 Definitions is amended to include the following additions:
EXTERIOR LIGHTING, 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.**

SIGN, WALL: 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.**

SECTION 2: This Ordinance specifically repeals Chapter 326, Outdoor Lighting of the Code of Ordinances of the City of Crystal Lake, Illinois

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 19

City Council Agenda Supplement

Meeting Date: January 18, 2011

Item: Planning and Zoning Commission Reappointments

Mayor's Recommendation: Motion to reappoint members to the Planning and Zoning Commission as indicated below.

Contact: Aaron T. Shepley, Mayor

Background:

On January 31, 2011, terms on the Planning and Zoning Commission for Vince Esposito, Dave Goss and Ann Lembke will expire. Mr. Esposito, Mr. Goss and Ms. Lembke have all expressed interest in reappointment to 4-year terms on the Planning and Zoning Commission. Planning and Zoning Commission appointments/reappointments are made by the Mayor with City Council confirmation.

Should the Council have any questions, please contact Mayor Shepley.

Votes Required to Pass: Simple majority