



#2012-11 City of Crystal Lake Project Review for Planning and Zoning Commission

Meeting Date: March 21, 2012

Zoning Requests: UDO Text Amendment from various provisions of the Unified Development Ordinance

Staff Contact: Latika Bhide 815.356.3615

Background:

- When the City Council adopted the Unified Development Ordinance (UDO) in 2009, it was intended to be a dynamic document that would be updated periodically. Accordingly, reviews were completed at 6 months and 1 year after the adoption of the Ordinance. Additional text amendments were also approved by the City Council based on Planning and Zoning Commission and staff recommendations.
- The proposed text amendments would address issues observed by staff based on their day-to-day application of the UDO and would simplify the requirements and procedures for businesses and residents.

Discussion:

1. Temporary Use Permit requirements

Article 2-300 Permitted Uses Table

Table 2-300 Permitted Uses Table			
Temporary			
Temporary	Construction Trailers & Sales Office	TEMPORARY USE - All Districts	2-500B-1
	Contractor's construction office & Equipment storage trailer (Residential Projects)	TEMPORARY USE - All Districts	2-500B-2
	Contractor's construction office & Equipment storage trailer (Non-Residential Projects)	TEMPORARY USE - All Districts	2-500B-3
	Holiday Tree & Decoration Sales	TEMPORARY USE - All Districts	2-500B-4 2-500B-2
	Religious Tent Meeting	TEMPORARY USE - All Districts	2-500B-5 2-500B-3
	Seasonal Sale of Farm and Garden Produce	TEMPORARY USE - All Districts	2-500B-6 2-500B-4
	All other promotions, events or temporary uses	TEMPORARY USE - All Districts	2-500B-7

		Districts	2-500B-5	
	Temporary (Portable) Storage Units (including temporary dumpsters)	TEMPORARY USE - All Districts	2-500B-8 2-500B-6	

Section 2-500 Temporary Use Criteria

B. Review Criteria for Temporary Uses


The following standards for specific uses, to be approved as temporary uses are hereby established.


1. Real Estate Sales Office
- ~~2. Contractor's construction, equipment and office trailers for residential projects~~
- ~~3. Employment and construction trailers for non-residential projects~~
2. 4. Holiday Tree and Decoration Sales
3. ~~5.~~ Religious Tent Meeting
4. ~~6.~~ Seasonal Sale of Farm and Garden Produce
5. ~~7.~~ All other promotions, events, or temporary uses
6. ~~8.~~ Temporary (Portable) Storage Units (including temporary dumpsters)

Please note that Construction Trailers, Contractor's construction, equipment and office trailers for residential projects and Employment and construction trailers for non-residential projects are approved through the building permit process through the Building Division.

2. Construction and Grand Opening Signage

Section 4-1000 F (1) Commercial Signs

TABLE 4-1000 F (1) Commercial Signs					
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes	-
Limited Duration #	1*	32 (20^)	5 (8) 12^)	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 SF in area and 8 <u>12</u> foot in height.	

					
<p># <u>In addition to the Limited Duration signage, a total of 2 signs in conformance with the size and height requirements listed above are permitted as part of the construction and grand opening sign package. Construction signs are permitted where construction activity is underway along the right-of-way in front of the property and are permitted for the duration of the project. Grand Opening signs are permitted 30 days prior and 60 days following a business opening.</u></p>					

3. Approved surface requirements for vehicles

Section 4-200 Off-street parking and loading

F. Use of Residential Parking Areas

2. Exceptions

(vii) In cases where the side yard is obstructed by restrictive size, trees, uneven grade, poor access, watercrafts may be stored in the front yard, yard abutting a street or the street side yard of a lake front lot. Fences, landscaping or similar obstacles constructed or placed in the access to the interior side yard do not constitute an obstruction. Watercrafts shall only be allowed in these locations from October 1 thru April 30. From May 1st through September 30th, watercrafts must be parked on the driveway.

4. Sign Variation process

Article 9-200 SPECIFIC STANDARDS AND OTHER REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL

B. Amendments

C. Variations and Simplified Residential Variations

D. Special Use Permits

E. Planned Unit Development

F. Watershed Planned Unit Development

G. Sign Variations

Ⓔ H. Appeals and Stays of Proceedings

Ⓕ I. Withdrawal of Application and Repeated Application

Ⓖ J. Notice

Ⓗ K. Permits

Ⓚ L. Fees

Ⓛ M. Penalties

Ⓜ N. Separability

G. Sign Variations

1. Application

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

2. Procedure

Upon receipt of a petition for a sign variation, the Zoning Administrator shall first determine that a complete submittal has been received and then schedule the request on the next available City Council agenda.

3. Standards

The City Council shall determine, when evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship, based on the standards below:

- a. **Unique Hardship:** The proposed variation, if granted, will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.
- b. **Not harm public welfare:** The proposed variation, if granted, will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood and will not be itself, or with other signs, contribute to the creation of visual distraction which may lead to personal injury or a substantial reduction in the value of property.
- c. **Consistent with Intent:** The proposed variation is in harmony with the intent, purpose, and objectives of the Ordinance

4. Conditions

The City Council, in granting any variation, may impose such conditions or restrictions as appear necessary to minimize possible detrimental effects of such variation upon other properties in the neighborhood, and thus secure substantial justice.

5. Action by the Council

Any proposed variation shall be passed upon a favorable vote by a simple majority of the City Council.

L. Fees

The following fees shall apply:

Sign Variation	\$100
-----------------------	--------------

5. Special Use Permit requirements for accessory structures

Article 4-600 Accessory Structures and Uses

D. Special use permit required: Any individual structure, **accessory to a single-family detached, single-family attached or a two-family dwelling**, greater than 600 square feet is required to obtain a special use permit.

6. Separation requirements between principal and accessory structures

Section 4-600 Accessory Structures and Uses

B. General Standards

7. Are not located within 6 5 feet of a principal structure, unless the minimum fire-resistance rating requirements per the International Residential Code (IRC) are complied with.

7. Trash Enclosures

Section 4-700 Fences, Walls and Screening

C. Required Fences

6. All trash dumpsters, trash pads, loading areas, loading docks and service and maintenance areas as well as all utility equipment, dish antennas, mechanical equipment, air conditioning units or any other visible outside equipment (not classified as outdoor storage) shall be screened from any adjoining lands in a residential zone and all adjacent public rights-of-way. **(The screening requirement for trash dumpsters and trash pads for existing developments that are previously un-screened will be applicable where a new restaurant occupies the building or tenant space. For new developments, this requirement will apply regardless of the proposed use.)**

8. Food Service Uses

Article 2-400 Limited and Special Use Criteria


C. Review Criteria for Special Uses

7. Drive-through Uses

d. Required number of stacking spaces for specific uses

(v) Limited Service (Fast Food) Restaurant (All Others): Total 9 stacking spaces with a minimum of 4 stacking spaces between the order board and the pick-up window. **[Please refer to Article 4-1000, Signs as well as the handout –‘Signage for Limited Service (Fast Food) Restaurants for signage requirements]**

Section 4-1000 F (1) Commercial Signs

TABLE 4-1000 F (1) Commercial Signs					
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes	-
Free Standing	1* (Per drive-through lane)^	60	8	Permitted for food service drive-through tenants only. Must be located behind the front building line.	
^ Please refer to the handout –‘Signage for Limited Service (Fast Food) Restaurants for signage requirements					

9. **Pawn Shops**

ARTICLE 10, DEFINITIONS

LAND USE, Pawn shop: A business location at which a pawnbroker conducts business. A pawnbroker is any person who engages in the business of making pawns. A pawn means the advancement of funds on the security of pledged goods (tangible personal property) left in the possession of a pawnbroker by a pledgor of such goods for a stipulated period of time, which goods may be redeemed by the pledgor under terms and conditions as specified in the applicable Illinois Statutes.

Recommendation:

If the PZC’s direction is to approve these changes, the abovementioned changes to the UDO are recommended.

City of Crystal Lake Development Application

Office Use Only **1 1 2012**
File # _____

Project Title: City of Crystal Lake, UDO Text Amendments

RECEIVED
FEB 24 2012
BY: _____

Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input checked="" type="checkbox"/> Other: Text Amendment to the UDO |

Petitioner Information

Name: City of Crystal Lake
Address: 100 W. Woodstock Street
Crystal Lake, IL 60014
Phone: 815-459-2020
Fax: 815-479-1467
E-mail: planning@crystallake.org

Owner Information (if different)

Name: _____
Address: _____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: Text Amendments to various sections of the UDO:
Separation requirements between principal and accessory structures;
Temporary Use Permit requirements; Construction and Grand Opening
Signage; Approved surface requirements for vehicles; Sign Variation process;
Special Use Permit requirements for accessory structures and Height

Project Address/Location: _____

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____ -

Architect: _____ -

Attorney: _____ -

Engineer: _____ -

Landscape Architect: _____ -

Planner: _____ -

Surveyor: _____ -

Other: _____ -

Signatures

George Koczvara, Deputy City Manager



2-24-2012

PETITIONER: Print and Sign name (if different from owner)

Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

OWNER: Print and Sign name

Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.



RESOLUTION

WHEREAS, the Mayor and City Council of the City of Crystal Lake have determined that the Planning and Zoning Commission consider an amendment to the Unified Development Ordinance, regarding various provisions of the Unified Development Ordinance relating to the following: Separation requirements between principal and accessory structures; Temporary Use Permit requirements; Construction and Grand Opening Signage; Approved surface requirements for vehicles; and Sign Variation process.

NOW, THEREFORE, BE IT RESOLVED 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 request the Planning and Zoning Commission, pursuant to Article 9-100 of the Crystal Lake Unified Development Ordinance, to conduct a hearing to consider the abovementioned text amendment to the Unified Development Ordinance.

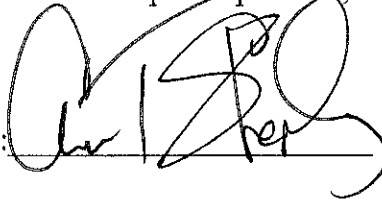
SECTION II: That the Mayor and City Council request the Planning and Zoning Commission to make those recommendations with regard to this matter within the time established by the Unified Development Ordinance to the Mayor and City Council.

SECTION III: That the City Clerk is directed to file a copy of this Resolution to the Chair of the Planning and Zoning Commission for appropriate consideration and hearing.

Dated at Crystal Lake, Illinois, this 7th day of February, 2012.

CITY OF CRYSTAL LAKE, an

Illinois municipal corporation,

By: 

MAYOR

SEAL

ATTEST



CITY CLERK

PASSED: February 7, 2012

APPROVED: February 7, 2012

PUBLIC NOTICE

**BEFORE THE PLANNING AND
ZONING COMMISSION
OF THE CITY OF CRYSTAL LAKE,
MCHERRY COUNTY, ILLINOIS**

**IN THE MATTER OF THE PETITION
OF The City of Crystal Lake**

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake for the purposes of seeking a text amendment to various provisions of the UDO including: Separation requirements between principal and accessory structures; Temporary Use Permit requirements; Construction and Grand Opening Signage; Approved surface requirements for vehicles; Sign Variation process; Special Use Permit requirements for accessory structures and Height standards for structures. Information about this request can be obtained through the City of Crystal Lake Planning Department at 815-356-3615.

A public hearing before the Planning and Zoning Commission on this request will be held at 7:30 p.m. on Wednesday March 7, 2012, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
February 18, 2012)