

ARTICLE 2  
**Land Use**

**SECTION 2-100. Purpose.**

The purpose of this article is to:

- A. Set forth the uses that are permitted within each base zoning district;
- B. Prohibit uses, buildings or structures which are incompatible with the character of surrounding development and
- C. Provide standards for those uses that present specific concerns, and therefore, require limitations on the intensity of use, land area, site design, and other factors appropriate to each class of use.

In addition to the standards set forth in this article, the uses addressed by this article shall also be governed by the standards and limitations otherwise set forth in this Ordinance. To the extent that a conflict exists between the standards set forth in this article and the standards set forth elsewhere in the UDO, the standards set forth in this article shall control.

**SECTION 2-200. Use categories.**

- A. Basis for classification. The categories and subcategories established below are not zoning districts, rather they relate to uses or activities that occur in specific zoning districts. The use categories and subcategories divide all uses into easily identifiable classification groups to aid in specifying and regulating uses.



**Commentary**

Use categories and subcategories classify land uses and activities based upon common functional, product, or physical characteristics and provide a systematic basis for assigning land uses to appropriate zoning districts. The North American Industry Classification System (NAICS) Codes are provided for most uses listed in the Permitted Uses Table below. The NAICS Codes are a six-digit system for classifying business establishments that replaced the Standard Industry Classification (SIC) system. NAICS is the industry classification system used by U.S. Statistical Agencies. More information can be found at: <http://www.census.gov/eos/www/naics/>

- B. Establishment of categories and subcategories. The following use categories and subcategories are hereby established:
  1. Residential.
    - a. Household living.
    - b. Congregate living.
  2. Commercial.

- a. Retail uses.
  - b. Service uses.
  - c. Commercial recreation.
  - d. Overnight lodging.
  - e. Offices.
3. Civic.
    - a. Information uses.
    - b. Community facilities.
    - c. Day care.
    - d. Medical uses.
    - e. Social assistance.
    - f. Religious establishments.
    - g. Parking and transportation.
    - h. Utilities.
  4. Industrial.
    - a. Industrial.
    - b. Warehousing, distribution and storage.
  5. Open.
    - a. Agricultural.
    - b. Parks and open space.
  6. Temporary.
- C. Types of uses. Each use category contains one or more subcategories. Within each use subcategory, there are uses that are:
1. Permitted by right, known as principal permitted uses. Principal permitted uses are activities and uses that are permitted by right within specific zoning districts. Principal permitted uses are indicated with a "P" in Table 2-300, Permitted Uses Table;
  2. Permitted by right, provided specific criteria are met, known as limited uses. Limited uses must meet specific criteria listed in this article prior to initiation of the use. Limited uses are indicated with a "L" in Table 2-300, Permitted Uses Table;
  3. Permitted upon approval of a special use permit, known as special uses. Special uses require review and approval by the City Council following recommendations from



the Planning and Zoning Commission, prior to initiation of the use. Special uses are indicated with a "S" in Table 2-300, Permitted Uses Table;

4. Permitted upon approval of a temporary use permit, known as temporary uses. Temporary uses must meet specific criteria listed in this article or receive City Council approval, if necessary, prior to initiating the use. Temporary uses are indicated with a "T" in Table 2-300, Permitted Uses Table;
5. Prohibited Uses. Uses that are specifically prohibited through this Ordinance. Prohibited uses are indicated with a blank cell in Table 2-300, Permitted Uses Table.

D. Interpretation.

1. In the event a particular use is not listed in this article, and such use is not specifically listed as a prohibited use and is not otherwise prohibited by law, the Zoning Administrator shall determine whether a substantially similar use exists in this article. If the Zoning Administrator determines that a substantially similar use exists, the regulations governing that use shall apply to the particular use not listed and the Zoning Administrator's decision shall be recorded in writing. In determining whether a use is substantially similar to a use which is addressed by this UDO, the Zoning Administrator shall consider whether the particular use falls within the same Industry (five-digit) Classification of the North American Industry Classification Manual (Executive Office of the President, Office of Management and Budget, 2007, or subsequent editions) ("NAICS") as a use described by this Ordinance, and if the proposed use does not generate trips exceeding other uses proposed in the zoning district by more than 10%, as determined by the Institute of Transportation Engineering, Trip Generation (7th ed. 2003, or subsequent editions); which documents are hereby incorporated by this reference.
2. Where the Zoning Administrator determines that a use not mentioned is of a type, scope, or impact that does not fit any existing use category, the Zoning Administrator may request the Planning and Zoning Commission and City Council to initiate the process for a text amendment to incorporate the specific use into this Ordinance at its proposed location. An approval does not create a right for a similar use within the same zoning category.

**SECTION 2-300. Permitted Uses Table.**

The permitted, limited, special, temporary and prohibited uses within each zoning district are listed in Table 2-300.

For the convenience of the reader, cross-references to applicable limited and special use criteria are listed in the second-last column of Table 2-300. However, the failure to include a cross-reference does not indicate that other regulations listed elsewhere in this Ordinance do not apply.

The last column references the 2007 NAICS code for the Use Type.



TABLE 2-300 PERMITTED USES TABLE

	F	E	RE	R-1	R-2	R-3A	R-3B	R-O <sup>2</sup>	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
<b>RESIDENTIAL</b>																	
Household Living	Single-Family Detached Dwelling	P	P	P	P	P	P	P				S			L	2-400C-1	—
	Two-Family Dwelling <b>[Amended 12-11-2017 by Ord. No. 7419]</b>					P	P	P				S				2-400C-1	—
	Single-Family Attached Dwelling						P					S				2-400C-1	—
	Multifamily Dwelling						P					S				2-400C-1	—
	Upper Story Dwelling, above nonresidential use											P					—
	Manufactured Housing Park												S			2-400C-2	—
	Home Occupations	L	L	L	L	L	L	L	L				L		L	2-400C-3	—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Congregate Living	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	2-400C-68	
						S	S									2-400C-4	
	S	S	S	S	S	S	S	S	S							2-400C-5	623110
	S	S	S	S	S	S	S	S	S							2-400C-5	623311
L	L	L	L	L	L	L	L	L				L			2-400C-6	—	

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		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS	
<b>COMMERCIAL</b>																			
<b>Retail Uses</b>																			
Drive-through	Drive-through (excluding drive-through for food service or office uses)									L	L	L	L	L	L		2-400C-7	—	
Outdoor Sales, Storage or Display	Outdoor Sales, Service, Storage or Display (as accessory use)									L		L	L	L	L		2-400C-8	—	
Motor Vehicle and Parts Dealers	Automobile Dealers'											L	L				2-400C-9	—	
	Other Motor Vehicle Dealers											L			L		2-400C-10	—	
	Automotive Parts, Accessories and Tire Stores											P	P	P				4413	
	Automotive Accessory Sales and Installation											P		P				—	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Rental and Leasing Services	Internet Auto Sales [Added 3-1-2016 by Ord. No. 7200; amended 12-11-2017 by Ord. No. 7419]								L	L	L	L	L	L	L	2-400C-70	
	Passenger Car Rental and Leasing										L	L				2-400C-9	53211
Vehicle Repair and Maintenance	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing										L			L		2-400C-10	53212
	Automotive Repair, Minor										P	P	P	P			—
	Automotive Repair, Major <sup>2</sup>										S	S	S	L		2-400C-11	—
	[Amended 1-18-2011 by Ord. No. 6641]																
Car Washes <sup>3</sup>	Automotive Oil Change and Lubrication Shops										P	P	P	P			811191
	Car Washes <sup>3</sup>										L					2-400C-12	811192

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Major Automotive Repair uses with Automobile Dealer as an ancillary use <b>[Added 11-5-2013 by Ord. No. 6970]</b>													L	L		2-400C-64	
Furniture and Home Furnishings Stores											P	P					442110
											P	P	P				442210
											P	P					442291
											P	P					442299



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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Electronics Stores, Television, and Other Appliances Stores												P					443111
Household Appliance Stores												P					
Radio, Television, and Other Electronics Stores											P	P					443112
Computer and Software Stores																	
Computer and Software Stores												P					443120
Camera and Photographic Supplies Stores																	
Camera and Photographic Supplies Stores										P	P	P					443130
Postal Packaging									P	P	P	P	P				—

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Building Material and Supplies Dealers	Home Centers										P	P					444110
	Paint and Wallpaper Stores										P	P					444120
	Hardware Stores										P	P					444130
Building Material and Supplies Dealers	Other Building Material Dealer										P	P					444190
	Outdoor Power Equipment Stores										P	P	P				444210
Lawn and Garden Equipment and Supplies Stores	Nursery, Garden Center, and Farm Supply Stores										P	P					444220

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Food and Beverage Stores	Supermarkets and Other Grocery (except Convenience) Stores <b>[Amended 11-5-2013 by Ord. No. 6970]</b>									P	P	P					445110
	Convenience Stores									P	P	P					445120
Food and Beverage Stores	Meat, Fish and Seafood Markets and Fruit and Vegetable Store									P	P	P					4452
	Baked Goods Stores									P	P	P					445291
	Confectionery and Nut Stores									P	P	P					445292
	All Other Specialty Food Stores										P	P					445299
	Beer, Wine, and Liquor Stores (off-premise consumption of liquor) <sup>4</sup>										P	P					445310

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Health and Personal Care Stores	Pharmacies and Drug Stores									P	P	P					446110
	Cosmetics, Beauty Supplies and Perfume Store										P	P					446120
	Optical Goods Stores									P	P	P					446130
	Food (Health) Supplement Stores										P	P					446191
	All Other Health and Personal Care Stores										P	P					446199
Gasoline Stations											S	S	S	S		2-400C-13	447
Gasoline Stations (with and without convenience stores)																	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Clothing and Clothing Accessories											P	P					4481
											P	P					448210
											P	P					448310
Clothing and Leather Goods Stores											P	P					448320
Sporting Goods Stores											P	P					451110
										S	P	P					451120
Sporting Goods, Hobby, Book, and Music Stores											P	P					451130
											P	P					451140
											P	P					451211

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
General Merchandise Stores	Prerecorded Tape, Compact Disc, and Record Stores										P	P					451220
	Department Stores (including Discount Department Stores)										P	P					4521
Miscellaneous Store Retailers	Warehouse Clubs and Supercenters										P						452910
	All Other General Merchandise Stores										P	P					452990
Miscellaneous Store Retailers	Florists									P	P	P					453110
	Office Supplies and Stationery Stores										P	P	P				453210
	Gift, Novelty, and Souvenir Stores <b>[Amended 12-6-2014 by Ord. No. 7082]</b>									S	P	P					453220

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Used Merchandise Stores [Amended 11-19-2013 by Ord. No. 6972]											S	S				2-400C-14	
Antique Store/ Antique Mall [Added 11-19-2013 by Ord. No. 6972]										P	P	P					
Consignment Store [Added 11-19-2013 by Ord. No. 6972; amended 8-15-2017 by Ord. No. 7390]											P	P					
Junk Store [Added 11-19-2013 by Ord. No. 6972]																	
Flea Market [Added 11-19-2013 by Ord. No. 6972]																	
Pet and Pet Supplies Stores											P	P					453910

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Art Dealers											P	P					453920
Manufactured (Mobile) Home Dealers											P		P				453930
Tobacco Stores											P						453991
All Other Miscellaneous Store Retailers (except Tobacco Stores)											P	P					453998
Temporary Retail Use/Activity <sup>5</sup> [Amended 1-18-2011 by Ord. No. 6641]											L	L				2-400C-59	
Cannabis dispensary [Added 10-1-2019 by Ord. No. 7576]											S						2-400-76
Service Uses																	



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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Home and Garden Equipment Repair and Maintenance											P	P	P				811411
Appliance Repair and Maintenance										P	P	P	P				811412
Reupholstery and Furniture Repair											P	P	P	P			811420
Footwear and Leather Goods Repair										P	P	P					811430

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Other Personal and Household Goods Repair and Maintenance											P	P					811490
Personal and Laundry Services								P	P	P	P	P					812111
								P	P	P	P	P					812112
									P	P	P	P					812113
										P	P	P					—
									P	P	P	P					812191
									P	P	P	P					—
Massage (Therapeutic) Establishments [Amended 6-3-2014 by Ord. No. 7034; 8-2-2016 by Ord. No. 7247]								S	S		S	S				2-400C-65	—
Tattoo parlors																	—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Tailor and Dressmaking shop (including alterations and repair)								P		P	P	P					—
Other Personal Care Services											P	P					812199
Funeral Homes [Amended 11-5-2013 by Ord. No. 6970]									L		L	L				2-400C-63	812210
Crematories [Amended 11-5-2013 by Ord. No. 6970]									L		L	L				2-400C-15	
Dry-cleaning and Laundry Services (not including Industrial Launderers)									P	P	P	P					8123
Industrial Launderers											P		P				812332
Pet Care [Amended 7-1-2014 by Ord. No. 7040]	L	L							L		L	L	L	L		2-400C-16	812910

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
										P	P	P					81292
									S	S	P	P					722110
										P	P	P	L			2-400C-17	722211
											P	P					722212
										S	P	P	L			2-400C-17	722213
											P	P	P				
											S	S				2-400C-18	722410
									L	L	L	L	L			2-400C-19	—
									S	S	L	L	L			2-400C-7	—

Food Services and Drinking Places

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS	
Consumer Goods Rental	Consumer Electronics and Appliances Rental										P	P					532210	
	Formal Wear and Costume Rental <sup>6</sup>										P	P					532220	
	Video Tape and Disc Rental									P	P	P					532230	
	Home Health Equipment Rental										P	P					532291	
	Recreational Goods Rental										P	P					532292	
	All Other Consumer Goods Rental										P	P	P				532299	
	General Rental Centers										P		P				532310	
	Nursery School, Pre-school				L	L			L	L	L	L				2-400C-20		
	Elementary and Secondary Schools	S	S	S	S	S	S	S							S		2-400C-21	611110
	Junior Colleges <b>[Amended 11-5-2013 by Ord. No. 6970]</b>									P	P	P	P					611210
Educational Services																		

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Colleges, Universities and Professional Schools											S	S	S	S		2-400C-22	611310
Business and Secretarial Schools								P	P	P	P	P	P				611410
Computer Training								P	P	P	P	P	P				611420
Professional and Management Development Training								P	P	P	P	P	P				611430
Technical and Trade Schools (including Flight Training, Apprenticeship Training and Other Technical and Trade Schools)											P		P	P			6115
Cosmetology and Barber Schools including Massage Therapist Instruction								P			P	P	P				611511

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Fine Arts Schools								P	P	P	P	P	P				611610
								P	P	P	P	P	P				611630
								P	P	P	P	P	P				611691
Automobile Driving Schools										P	P	P		P			11692
Other Business Service Centers (including Copy Shops)									P	P	P	P	P				561439
Carpet and Upholstery Cleaning Services (on customer's premises only)											P	P	P				—
Other Services									P	P	P	P		P			541921

[Amended 7-17-2018 by Ord. No. 7482]

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Signs [Amended by Ord. No. 6732, 12-20-2011; 11-5-2013 by Ord. No. 6970]		S									L					2-400C-61	
											L	L	L	L		2-400C-62	
Remote Storage location for a Repossession agency [Added 10-15-2013 by Ord. No. 6967]														S			



	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS	
Repossession Agency [Added 10-15-2013 by Ord. No. 6967]														S				
<b>Commercial Recreation</b>																		
Commercial Recreation	Adult Uses	P																
	Amusement and Theme Parks (including indoor/outdoor water parks)										S					2-400C-23	713110	
	Amusement Arcades										L	L				2-400C-24	713120	
	Ball Rooms, Dance Hall, Banquet Hall [Amended 8-2-2016 by Ord. No. 7247; 12-11-2017 by Ord. No. 7419]											P	P				2-400C-25	—
Batting Cages [Amended 12-11-2017 by Ord. No. 7419]											L	L	L	L		2-400C-26	—	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Billiards Parlor/ Billiards Room/ Pool Hall/Pool Parlor										L	P	P				2-400C-27	—
Bowling Centers											P	P					713950
Convention Center											S	S	S			2-400C-28	—
Golf Courses and Country Clubs	S	S	S	S	S	S	S	S	S							2-400C-29	713910
Golf Driving Range	S	S	S	S	S	S	S	S									—
Health Clubs											P	P	P				—
Ice skating/roller skating rinks <b>[Amended 12-11-2017 by Ord. No. 7419]</b>											L	L	L	L		2-400C-26	—
Large-scale Entertainment Venue <b>[Amended 12-11-2017 by Ord. No. 7419]</b>											S	S	S			2-400C-30	—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Lodge/ Membership Club [Amended 8-2-2016 by Ord. No. 7247]									P		P	P	P	S			—
Marinas											P		P				713930
Mini Golf/Pitch- n-putt Golf [Amended 12-11-2017 by Ord. No. 7419]											L	L	L	L		2-400C-26	—
Movie or other theater											P	P					—
Nonresidential (indoor or outdoor) Swimming pools, wave pools											P	P	P				—
Physical fitness facilities, weight training centers, strength development centers, weight loss center [Amended 11-5-2013 by Ord. No. 6970]									P	P	P	P	P	P			—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Shooting Range											S		S	S		2-400C-31	—
Squash/ Racquetball/ Handball/Tennis Club Facility (as a principal use) <b>[Amended 12-11-2017 by Ord. No. 7419]</b>	S	S				S	S				L	L	L			2-400C-32	—
Commercial Stables, including riding arenas	L	L														2-400C-33	—
All other amusement and recreation facilities											S						—
<b>Overnight Lodging</b>																	
Overnight Lodging	Hotels (except Casino Hotels) and Motels										S	S	S			2-400C-34	721110
	Resorts										S					2-400C-35	—
	Bed-and- Breakfast Inn <b>[Amended 12-11-2017 by Ord. No. 7419]</b>	L	L	L	L	L	L	L				L				2-400C-36	721191
	Hostels										S					2-400C-37	—

SECTION 2-300

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Offices	Professional Offices							P	P	P	P	P	P	P			—
	Offices of Physicians, Offices of Dentists, Offices of Other Health Practitioners							P	P	P	P	P	P	P			6211, 6212, 6213
	Medical Laboratories and Diagnostic Imaging Centers							P	P	P	P	P	P				62151
	Financial Institutions including automatic teller machines, bank/savings and loans, credit unions, currency exchange								P	P	P	P					—
	Standalone automatic teller machines								L	L	L	L	L			2-400C-38	—
Government Offices								P	P	P	P	P	P	P			—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
									L	L	L	L	L	L		2-400C-7	—
<b>CIVIC</b>																	
<b>Information Uses</b>																	
Information														P			515112
											P		P	P			515120
									P		P	P	P	P			512240
											P			P	P		512191
<b>Community Facilities</b>																	
Community Facilities																	
	P	P	S	S	S	S	S	S	P	P	P	P	P	P	P		
											P	P					—
	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		519120
									S			P	S	S			712110

	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
	S	S															712130
<b>Day Care</b>																	
Day Care	Home Day Care, up to 8 children	L	L	L	L	L	L	L								2-400C-39	—
	Commercial Child Day-care center								S	S	L	S	S			2-400C-40	—
<b>Medical Uses</b>																	
Medical Facility	Outpatient Care Centers (including Freestanding Ambulatory Surgical and Emergency Centers)								P		P	P	P				6214
	Blood and Organ Banks								P		P		P				621991
	All Other Miscellaneous Ambulatory Health Care Services								P	P	P	P	P				621999
	Hospitals								S		S		S	S		2-400C-41	622

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
	P	P						L	L		L	L	L			2-400C-42	541940
Medical Facility														S		2-300C-66	
																2-300C-67	
<b>Social Assistance</b>																	
Social Assistance		S	S	S	S	S	S	S								2-400C-43	624221



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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Community Food Services											S	S	S				624210
<b>Religious Establishments</b>																	
Religious Organization	P	S	S	S	S	S	S	S	S	S		S	S	S		2-400C-44	813110
	S	S	S	S	S	S						S	S	S		2-400C-45	812220
<b>Parking and Transportation</b>																	
Parking									P	P	P	P	P	P			—
									L	L	L	L	L	L		2-400C-46	—
							S	S	S	S	S	S	S	S			—
							S		S	S	S	S	S	S		2-400C-46	—
	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	2-400C-69	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS	
Transportation	S												S	S		2-400C-47	—	
											S	S	S	S			—	
												S	S	S			—	
															S		—	
												P	P	P	P		4853	
<b>Utilities</b>																		
Utilities																		—
																		—
	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Radio Transmission Towers		S											S	S		2-400C-48	—
Wireless Communication Towers		S											S	S		2-400C-48	—
Stealth-Designed Wireless Communication Antennas <b>[Added 12-11-2017 by Ord. No. 7419; amended 6-18-2019 by Ord. No. 7553]</b>	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	2-400C-71	
Small Wireless Facility <b>[Added 12-11-2017 by Ord. No. 7419]</b>										P	P	P	P	P			
Commercial Overnight Delivery Box									S	S	S	S	S	S			—
Landfill and Transfer Station														S		2-400C-49	
Recycling Collection Center	S													S			—

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
	S										S	S		S			—
	S													S		2-400C-50	—
	P	P	P	P	P	P	P	P									
	P													P			
<b>INDUSTRIAL</b>																	
														P			3111
														P			3112
														P			3113
														P			3114
Industrial																	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Dairy Product Manufacturing														P			3115
Bakeries and Tortilla Manufacturing														P			3118
Other Food Manufacturing														P			3119
Beverage Manufacturing														P			3121
Fiber, Yarn and Thread Mills														P			3131
Fabric Mills														P			3132
Textile and Fabric Finishing and Fabric Coating Mills														P			3133
Textile Furnishings Mills														P			3141
Other Textile Product Mills														P			3149
Apparel Knitting Mills														P			3151
Cut and Sew Apparel Manufacturing														P			3152

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Apparel Accessories and Other Apparel Manufacturing														P			3159
Footwear Manufacturing														P			3162
Other Leather and Allied Product Manufacturing														P			3169
Sawmills and Wood Preservation														P			3211
Veneer, Plywood and Engineered Wood Product Manufacture														P			3212
Other Wood Product Manufacturing														P			3219
Pulp, Paper and Paperboard Mills														P			3221
Converted Paper Product Manufacturing														P			3222

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Printing and Related Support Activities														P			3231
Basic Chemical Manufacturing														P			3251
Resin, Synthetic Rubber and Artificial Synthetic Fibers and Filaments Manufacturing														P			3252
Pesticide, Fertilizer and Other Agriculture Chemical Manufacturing														P			3253
Pharmaceutical and Medicine Manufacturing														P			3254
Paint, Coating and Adhesive Manufacturing														P			3255
Soap, Cleaning Compound and Toilet Preparation Manufacturing														P			3256

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Other Chemical Product and Preparation Manufacturing														P			3259
Plastics Product Manufacturing														P			3261
Rubber Product Manufacturing														P			3262
Clay Product and Refractory Manufacturing														P			3271
Glass and Glass Product Manufacturing														P			3272
Cement and Concrete Product Manufacturing														P			3273
Lime and Gypsum Product Manufacturing														P			3274
Other Nonmetallic Mineral Product Manufacturing														P			3279



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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Steel Product Manufacturing from purchased steel														P			3312
Alumina and Aluminum Production and Processing														P			3313
Nonferrous Metal (except AL) Production and Processing														P			3314
Forging and Stamping														P			3321
Cutlery and Handtool Manufacturing														P			3322
Architectural and Structural Metals Manufacturing														P			3323
Boiler, Tanker and Shipping Container Manufacturing														P			3324
Hardware Manufacturing														P			3325

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Spring and Wire Product Manufacturing														P			3326
Machine Shops, Turned Products and Screw, nut and bolt manufacturing														P			3327
Coating, Engraving, Heat Treating and Allied Activities														P			3328
Other Fabricated Metal Product Manufacturing														P			3329
Agriculture, Construction and Mining Machinery Manufacturing														P			3331
Industrial Machinery Manufacturing														P			3332
Commercial and Service Industry Machinery Manufacturing														P			3333

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Ventilation, Heating, A/C and Commercial Refrigeration Equipment Manufacturing														P			3334
Metalworking Machinery Manufacturing														P			3335
Other General Purpose Machinery Manufacturing														P			3339
Computer and Peripheral Equipment Manufacturing														P			3341
Communications Equipment Manufacturing														P			3342
Audio and Video Equipment Manufacturing														P			3343
Semiconductor and Other Electronic Component Manufacturing														P			3344

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Navigation, Measuring, Electromedical, and Control Instruments Manufacturing														P			3345
Manufacturing and Reproducing Magnetic and Optical Media														P			3346
Electric Lighting Equipment Manufacturing														P			3351
Household Appliance Manufacturing														P			3352
Electrical Equipment Manufacturing														P			3353
Other Electrical Equipment and Component Manufacturing														P			3359
Motor Vehicle Manufacturing														P			3361
Motor Vehicle Body and Trailer Manufacturing														P			3362

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Motor Vehicle Parts Manufacturing														P			3363
Aerospace Product and Parts Manufacturing														P			3364
Railroad Rolling Stock Manufacturing														P			3365
Ship and Boat Building														P			3366
Other Transportation Equipment Manufacturing														P			3369
Household and Institutional Furniture and Kitchen Cabinet Manufacturing														P			3371
Office Furniture (including Fixtures) Manufacturing														P			3372

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Other Furniture Related Product Manufacturing														P			3379
Medical Equipment and Supplies Manufacturing														P			3391
Other Miscellaneous Manufacturing														P			3399
Concrete Batch Plant														S		2-400C-51	
Earth Extraction, Materials Processing and Stockpiling														S		2-400C-52	
All other noxious uses														S		2-400C-53	—
<b>Warehousing, Distribution and Storage</b>																	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS	
Warehousing, Distribution and Storage													S	S		—	—	
													S	S		2-400C-54	—	
													L	P		2-400C-55	—	
														P	P		—	
														L	L		2-400C-9	—
<b>OPEN</b>																		
<b>Agricultural Uses</b>																		
Agricultural														P				—
	P																	

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Animal Raising (Specialized Farms for breeding and raising of fish, pigeons, dogs, cats, horses and bees)	P	S													S	2-400C-56	—
Dairy, Livestock and Poultry Farms (excluding hog farms)	P																—
Farms and Farmhouses	P	P	P	P	P	P	P	P									—
Outdoor Sales, Storage and Display (as accessory use to farms) <b>[Amended by Ord. No. 6543]</b>	L	L	L	L	L	L	L	L						L		2-400C-9	—
Packing House for Fruits and Vegetables	S															—	—
Silviculture	P																—



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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
Specialized Horticulture Operations including sod farms, flower and vegetable gardens, orchards, greenhouses and wholesale nurseries	P																
Bee Production (Bee keeping, apiculture)	L	L	L	L	L	L		L							L	2-400C-58	—
<b>Parks and Open Space</b>																	
Parks and Open Space	Campground	S														2-400C-57	—
	Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P		—
	Preservation Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P		—
	Private Recreation Field	S	S	S	S	S	S	S	S	S	S	S	S	S	S		—
	Park and Recreation Facilities <sup>7</sup> [Amended 1-18-2011 by Ord. No. 6641]	L	L	L	L	L	L	L	L	L	L			L	L	L	2-400C-60

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	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	NAICS
<b>TEMPORARY</b> [Amended 7-7-2009 by Ord. No. 6475; by Ord. 6543; 12-20-2011 by Ord. No. 6765; 6-3-2014 by Ord. No. 7034; repealed 8-2-2016 by Ord. No. 7247]																	

## NOTES:

- 1 Automobile Dealers shall include motorized bicycle shops; motor scooters; motorbike; motorcycle; off-road all-terrain vehicles (ATVs), wheeled or tracked and used motorcycle dealers.
- 2 Automotive Repair, Major shall include Automotive Exhaust System and Transmission Repair; Automotive Body, Paint, and Interior Repair and Maintenance and Automotive Glass Replacement Shops; Other Automotive Mechanical and Electrical Repair and Maintenance.
- 3 Car Washes shall include full service and automatic and self-service and non-automatic car washes
- 4 Beer, Wine, and Liquor Stores are subject to the application and approval of a liquor license per the requirements of the City Code.
- 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 Costume Rental comprises of establishments that are engaged in renting clothing on a year-round basis. This use is distinct from Temporary Retail Use/Activity that may rent clothing only for specific limited periods during the year.
- 7 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.

**SECTION 2-400. Limited and special use criteria.**

- A. Review of limited and special uses. This section describes the standards for limited uses and special uses, including standards for buffering, location, bulk and scale, as well as environmental standards. All limited or special uses shall be reviewed by the City to ensure compliance with the standards within this section. To the extent that a conflict exists between the standards set forth in this section and the standards set forth elsewhere in this Ordinance, the standard which is more restrictive shall apply.
  1. Limited uses. Limited uses may be initiated after staff review and approval of a site plan, landscaping plan, architectural plans and any other information needed to verify compliance with these standards. Standards within this Ordinance may prohibit limited uses on certain properties. If any of the standards cannot be met, the use shall be reviewed as a special use, in accordance with the procedure and standards set forth in Article 9, Administration. If the principal use on site requires the approval of a special use, any accessory use that is a limited use in the district must also be approved as a special use.
  2. Special uses. In addition to a staff review, special uses require a public hearing to accept public comment in accordance with Illinois law. All special uses must meet the general standards as provided below. Additionally, the use must also meet any specific standards listed within the applicable Section within this article. Refer to the "Development Application - Special Use Permits" handout, available through

the Community Development Department, for specific explanations of submittal requirements, and for review procedures. **[Amended 6-3-2014 by Ord. No. 7034]**

- B. General standards for all special uses. The following general standards for all special uses are hereby established. The City Council may authorize a special use as provided herein, upon determining and finding as fact, the following:
1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.
  2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.
  3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and floodplain regulations, Building and Fire Codes and all other applicable City Ordinances.
  4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.
  5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.
  6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.
  7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.
  8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as federal, state or county statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.
  9. That the proposed use shall conform to any stipulations or conditions approved as part of a special use permit issued for such use.
  10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.
- C. Review criteria for specific uses. The following review criteria for specific uses, to be approved as either limited or special uses are hereby established.

1. Single-family detached dwellings, two-family dwellings, single-family attached dwellings, multifamily dwellings.
  - a. General: Exclusively residential developments in the B-4 Downtown Business District must be developed as planned unit developments.
  - b. Single-family dwellings in the W District are only permitted on existing platted lots.
2. Manufactured housing parks. All manufactured housing parks must comply with the following criteria:
  - a. Site area: The mobile home park must be sited on properties or assemblies of properties that are at least four acres in size.
  - b. Maximum residential density: The maximum net residential density of a mobile home park shall not exceed nine units per acre.
  - c. Removal of transportation equipment: Removal of transportation equipment is required after delivery of the dwelling unit.
  - d. Utility service: All dwelling units and other habitable structures in the park are required to be served by buried electric lines.
  - e. Setback: All development is required to meet the setback requirements for 'All other uses' in accordance with the provisions of Article 3, Density, Intensity and Dimensional Standards.
  - f. Spacing between dwelling units: A minimum 15-foot setback from any other dwelling unit, park driveway, or common building (e.g., laundry facilities) is required.
  - g. Park roadways: Construct all park roadways using generally accepted engineering practices to provide a minimum pavement width of 24 feet to allow safe and adequate access to each dwelling unit space not served by a public street abutting the park. Park roadways not connecting to public streets shall include a minimum fifty-foot radius cul-de-sac;
  - h. Perimeter landscaping: A perimeter buffer around the park in accordance with the standards specified in Section 4-400, Landscaping and screening standards shall be provided.
  - i. Complete construction prior to occupancy: All required park roadways, required utilities, common buildings, and active recreation area for at least 15% of the dwelling units before any part of the park is occupied is required.
3. Home occupations. All home occupations must comply with the following standards: **[Amended 11-5-2013 by Ord. No. 6970]**
  - a. General: The use for the occupation must be clearly incidental to the use of the dwelling as a residence, so that its existence is not apparent except for the signage as provided in Section 4-1000, Signs, of this Ordinance. Any home occupation must not alter the exterior residential character of the dwelling or the neighborhood.

## b. Use:

The uses permitted as home occupations may include, but are not limited to:

- (i) Instruction in music, musical instruments, home crafts and arts and dance, provided the total class size does not exceed four students at any time;
- (ii) Tutoring, limited to four students at any time;
- (iii) Home day care, subject to the standards listed in Section 203C-26;
- (iv) Offices offering professional services including, but not limited to, architects, brokers, engineers, insurance agents, lawyers, real estate agents, accountants, consultants, stockbrokers, financial planners, urban planners, etc.;
- (v) Offices of salesmen, contractors, sales representatives or manufacturers representatives, provided that no retail transaction shall take place on the premises, except through telephone, facsimile, telegraph or mail communication, electronic or wireless communication;
- (vi) Studios of artists, authors, composers, photographers, sculptors;
- (vii) Workrooms of dressmakers, seamstresses and tailors;
- (viii) Workrooms for home crafts, crafts and trade people, including but not limited to model making, rug weaving, lapidary work and cabinet making;
- (ix) Limited personal services, including, but not limited to, cosmetology, massage therapy, etc.;
- (x) Office of a home-based call center agent.

The following uses are prohibited as home occupations:

- (i) Human or animal care facilities, such as hospitals, clinics, stables, veterinarian clinics, kennels;
- (ii) Repair shop (excluding personal or small household goods repair such as clock repair, cutlery sharpening, watch repair, etc.);
- (iii) Rooming/Boarding house;
- (iv) Rental outlets (including but not limited to rental of mobile homes, trailers, camper trailers)
- (v) Contractor yards;
- (vi) Scrap/Salvage services;
- (vii) Automobile repair services;
- (viii) Eating and drinking establishments; and
- (ix) General retail.

- c. Size: The home occupation may not occupy more than 20% or 500 square feet of the gross floor area of the dwelling unit, whichever is less;

- d. Ownership: The home occupation must be managed and owned by a person residing in the dwelling unit;
- e. Employment: It does not depend on the employment of more than one employee other than members of the immediate family living in the structure; provided, however, that appropriate off-street parking must be provided for the nonresident employee;
- f. Site design: The site design must comply with the following requirements:
  - (i) An entrance may not be specifically dedicated for the home occupation, unless otherwise required by law;
  - (ii) No alteration may be made which changes the exterior residential character or appearance of the dwelling. Home occupations that require a structural alteration of the dwelling to comply with nonresidential building codes are prohibited. This prohibition does not apply to modifications required to comply with any accessibility requirements;
  - (iii) The home occupation may not require or use outdoor storage or involve conducting business activity outdoors;
  - (iv) No commercial display of materials, merchandise, goods, or equipment is visible from the exterior of the dwelling;
  - (v) Signage is restricted to an unlighted name plate or business sign with an overall size of no more than one-square-foot, per the provisions of Section 4-1000, Signs.
- g. Operation: The home occupation does not require the delivery or shipment of materials, merchandise, goods, or equipment other than by parcel delivery businesses. Sale of merchandise directly to customers on premises is not permitted.
- h. The home occupation must be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence; and
- i. The home occupation must be operated in accordance with all applicable laws and, if any state, federal or local permit or license is required.

Note: Certain home occupations may require approval by the McHenry County Health Department and involve modifications per the Building Code. It is the applicant's responsibility to check and ensure that all applicable McHenry County Health Department and all applicable local, county, state and federal requirements are met.

- 4. Group dwellings. All group dwellings must comply with the following standards:
  - a. Spacing between group homes: Group dwelling uses shall not be located within 1,000 feet of another group dwelling use. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use.

- b. Government approvals: Users and occupants must receive any and all required approvals from county, state, and federal government entities which permit the use of the premises in conformance with the approval for which they have applied.
    - c. Size requirements and occupancy limitation: A minimum of 50 square feet of bedroom space per resident for residential uses shall be provided.
    - d. Owner's association restrictions: Provide written documentation that the proposed group dwelling will not violate any lawful covenants recorded against the property or bylaws of any homeowner's association to which the property is subject.
  5. Nursing care facilities, continuing care retirement communities. All nursing care facilities and continuing care retirement communities must comply with the following standards:
    - a. General: Applications for nursing care facilities and continuing care retirement communities shall include a description of the proposed use, including the maximum number of residents and the nature of the condition or circumstances for which care, or a planned treatment or training program will be provided, the number of staff and the name of the agency responsible for regulating or sponsoring the use.
    - b. Loading area: A drop-off/pick-up area in front of the building, that can accommodate at least one 20 feet long vehicle and exclusive of the required parking lot drive aisles, shall be provided. Depending on the facility size, a larger area may be required to accommodate additional vehicles.
    - c. Natural features: The development plan shall identify all natural features such as wetlands, water features, mature tree stands, steep slopes and, where feasible, preserve these existing natural features.
    - d. Recreational open space: Usable on-site open space appropriate to the needs of the residents and the nature of the care, treatment or training provided shall be provided.
    - e. Other applicable regulations: The proposed facility shall maintain all applicable licenses required by the appropriate agencies for the use described in the application.
  6. Family care facilities. All family care facilities must comply with the following criteria:
    - a. Size requirements and occupancy limitation: A minimum of 70 square feet of bedroom space for every resident, exclusive of caregiver's rooms shall be provided. A maximum of eight occupants is allowed per property.
    - b. Other applicable regulations: Group dwellings shall comply with all applicable state and federal regulations, including the Illinois Accessibility Requirements.
  7. Drive-through uses. Drive-through uses must comply with the following standards:



- a. General:
- (i) Drive-through windows and lanes shall not be placed between the right-of-way of the primary street and the associated building.
  - (ii) Drive-through windows and lanes shall be placed to the side or rear of the building served. Where allowed, as part of a planned unit development approval or through a variation, drive-through windows and lanes placed between the right-of-way of primary street and the associated building shall require landscape plantings installed and maintained along the entire length of the drive-through lane, located between the drive-through lane and the adjacent right-of-way (not including an alley) in accordance with the provisions of Section 4-400, Landscaping and screening standards.
  - (iii) Drive-through windows shall not be permitted on the side of a building adjoining any residential property.
- b. Special use required: Where a drive-through is adjacent to a residential property, a special use is required.



#### Commentary

Residential property includes both residentially zoned and residentially used properties. Where adjacent properties are located outside City limits, the use of the property, its zoning designation in the county and the future land use designation in accordance with the City's Comprehensive Plan Map shall be considered.

- c. Stacking space criteria: Stacking spaces shall be provided for any use having a drive-through. The following general standards shall apply to all stacking spaces for drive-through stations:
- (i) Stacking spaces and lanes for drive-through stations shall not impede on and off-site traffic movement, shall not cross or pass through off street parking areas, and shall not create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.
  - (ii) Drive-through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked, or otherwise distinctly delineated.
  - (iii) Bypass lanes and other parking lot drive aisles immediately adjacent to the drive-through lane(s) shall maintain the same direction of traffic flow as the drive-through.
  - (iv) Approach lanes for drive-through facilities shall have a minimum width of 12 feet as measured from the face of the curb. The City Engineer may administratively approve the following reductions in width for constrained sites:

One lane: reduction to 11 feet

Two or more lanes: reduction to 10 feet per lane

- (v) All drive-through facilities shall be provided with a bypass lane with a minimum width of 10 feet.
  - (vi) Alleys or driveways in residentially zoned areas adjacent to drive-through facilities shall not be used for the circulation of customer traffic.
  - (vii) Each stacking space shall be a minimum of 10 feet wide by 20 feet long.
  - (viii) All drive-through facilities shall be provided with an "escape" route from an existing queue.
  - (ix) Estimates of anticipated drive-through traffic, processing rates, or other operational data from other existing comparable facilities shall be provided.
- d. Required number of stacking spaces for specific uses: The required number of stacking spaces are to be provided before the location of the first stop (order window, order pedestal, order board, etc.) The uses below shall provide the following minimum numbers of stacking spaces:
- (i) Standalone automatic teller machines (ATM): three stacking spaces per ATM. **[Amended by Ord. No. 6543]**
  - (ii) Car wash: four stacking spaces per bay/stall for self-service establishments and five stacking spaces per bay/stall for an automated establishment.
  - (iii) Dry cleaning and laundry services: three stacking spaces per lane.
  - (iv) Limited-service (fast food) restaurant (coffee/smoothie/donut/bakery sales): eight stacking spaces total with at least four stacking spaces between the order board and the first service window.
  - (v) Limited-service (fast food) restaurant (all others): Total nine stacking spaces with a minimum of four stacking spaces between the order board and the pick-up window. [Please refer to Section 4-1000, Signs, as well as the handout - 'Signage for Limited-Service (Fast Food) Restaurants for signage requirements] **[Amended 12-20-2011 by Ord. No. 6765]**
  - (vi) Financial institutions: six stacking spaces for one drive-through window/lane and four stacking spaces per window/lane for two or more windows/lanes.
  - (vii) Pharmacies: six stacking spaces for one lane, four stacking spaces per lane for two or more lanes.
  - (viii) All other uses: five stacking spaces for each window, unless operational data supporting fewer spaces is provided and administratively approved by the City Engineer.

Additional stacking spaces may be required by the City Engineer. Please refer to Section 4-200, Off-street parking and loading, for further clarification.

- e. Traffic study: A traffic study or impact analysis will be required if, in the opinion of the City Engineer, the standards provided in this section cannot be met or where the traffic impact for the proposed use reaches or exceeds the threshold for requiring a traffic study or analysis.
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 Section 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. **[Amended 1-18-2011 by Ord. No. 6641]**
  9. Automobile dealers, passenger car rental and leasing.

Vehicles, including, but not limited to, automobiles, boats, lawn equipment, all-terrain vehicles, or other similar items, for sale or lease are not permitted to be stored on lots unless the sale of such items is permitted within the district the lot is located in and a current certificate of occupancy for the location has been obtained from the City.

Automobile sales and passenger car rental and leasing must comply with the following standards:

- a. Display areas: All vehicle display areas must be paved with an approved surface (Approved surface shall mean asphalt/bituminous, concrete/PCC and any surface that is approved by the City Engineer). Display areas shall be setback

- a minimum of five feet from all adjacent property lines and 10 feet from roadways.
- b. Lighting: All lighting shall be designed and installed to prevent glare or excessive light spillover onto adjacent properties, in accordance with the requirements of Section 4-800, Exterior lighting standards.
  - c. Public address systems: If outdoor speaker or public address systems are installed, the maximum decibel level at the property line shall not exceed 55 where adjoining residential property and 65 where adjoining nonresidential property.
  - d. Repair bays: Repair bays shall not front adjacent major arterial or collector rights-of-way or towards property that is residential property.
  - e. Landscaping: Landscaping is not required within or surrounding vehicle display areas. Parking lot landscaping in accordance with Section 4-400, Landscaping and screening standards, shall be provided for employee and customer parking areas.
  - f. Elevated vehicles: For automobile sales uses, up to two new vehicles are permitted on an elevated display, with a maximum height of the structure display being no more than five feet.
  - g. Accessory uses: Accessory uses and structures, such as car wash facilities and their incidental functions (vacuums and air compressors) shall be set back a minimum distance of 50 feet from all rear and side property lines abutting residential property. These facilities shall not be open to the public, unless as special use permit is obtained.
  - h. Parking on right-of-way: No vehicles offered for sale shall be parked on the public right-of-way.
10. Other motor vehicle dealers, truck, utility trailer and RV (recreational vehicle) rental and leasing. Other motor vehicle sales and truck, utility trailer and RV rental and leasing must comply with the following standards:
- a. Display areas: All vehicle display areas must be paved using an approved surface (Approved surface shall mean asphalt/bituminous, concrete/PCC and any surface that is approved by the City Engineer). The City Engineer may administratively approve the use of crushed asphalt as an approved surface for the display areas. All display areas shall be setback a minimum of 20 feet from all property lines.
  - b. Lighting: All lighting shall be designed and installed to prevent glare or excessive light spillover onto adjacent properties, in accordance with the requirements of Section 4-800, Exterior lighting standards.
  - c. Repair bays: Repair bays shall not front adjacent major or minor arterial or collector rights-of-way or residential property.
  - d. Landscaping: Landscaping is not required within or surrounding vehicle display areas. Parking lot landscaping in accordance with Section 4-400, Landscaping

and screening standards, shall be provided for employee and customer parking areas.

- e. Accessory uses: Accessory uses and structures, such as vehicle wash facilities and their incidental functions (vacuums and air compressors) shall be set back a minimum distance of 50 feet from all rear and side property lines abutting residential property.
  - f. Parking on right-of-way: No vehicles offered for sale shall be parked on the public right-of-way.
11. Automotive repair, major. Major automotive repair facilities must comply with the following standards: **[Amended 6-3-2014 by Ord. No. 7034]**
- a. Location of repair: All repairs shall be performed within a completely enclosed building.
  - b. Licensed vehicles: All vehicles parked or stored on-site shall display a current license plate with a current registration.
  - c. Odors and fumes: The use shall safely and appropriately vent all odors, gas and fumes and shall comply with all applicable federal, state and local regulations. Such vents shall be located a minimum of 10 feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas vapors from the fill pipes.
  - d. Outdoor vehicle storage: Vehicles to be stored outdoors must be contained on-site on a paved area. The outside storage area shall be screened with a minimum six feet tall solid wooden fence. In selected cases, an eight feet tall solid wooden fence may be required.
  - e. Parts or junk vehicle storage: Outdoor storage of automotive parts or junk vehicles is prohibited.
  - f. Fuel dispensing: Unattended, automated dispensing of gasoline or other engine fuel is prohibited.
  - g. Fluid/Oil collection mats: Fluid/Oil collection mats are required by facilities in wellhead protection areas and within the Crystal Lake Watershed.
12. Car washes. Full service and automatic vehicle wash uses must comply with the following standards:
- a. Drive-through criteria: The use must comply with applicable drive-through standards established in Section 203C-7.
  - b. Equipment: Details for all automatic car wash equipment to be installed within the building must be provided.
  - c. Towel drying area: An adequately large, outdoor or indoor, paved, hand-towel drying area must be provided. The hand-towel drying area must be exclusive of drive-aisles which carry cross-traffic and parking spaces for employees or different users.

Self-service and nonautomatic vehicle wash uses must comply with the following standards:

- a. Stacking: Stacking (20 feet per vehicle) accommodating three-vehicle lengths outside of the entrance of the car wash bay and clear of any driveway or drive aisle must be provided.
- b. Towel drying area: An adequately large, outdoor or indoor, paved, hand-towel drying area must be provided. The hand-towel drying area must be exclusive of, but adjacent to, a drive-aisle for exiting vehicles.
- c. Equipment: No automated equipment, including conveyor belts, rinse bars, soap and wax applicators, automatic air dryers, undercarriage sprays, or other electronic or mechanical equipment is permitted.
- d. Trash receptacle: One trash receptacle shall be provided at the entrance of each wash bay. Additionally, an enclosed trash receptacle shall be provided on-site.
- e. Vending machines: Vending machines are treated as outdoor display and sales.



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

13. Gasoline stations (with and without convenience stores). Gasoline stations must comply with the following standards: **[Amended 11-5-2013 by Ord. No. 6970]**
  - a. Location: Gasoline stations are not permitted within the City's wellhead protection areas. Stations in the Crystal Lake Watershed require a site specific analysis by the City's watershed consultant.
  - b. Environmental impact: No gasoline station shall commence operations unless it has first provided an environmental impact statement from a qualified expert in the related field that the use will not negatively affect ground water resources or contaminate the soil.
  - c. Screening: Gasoline stations adjacent to residential properties shall provide a six-foot-tall solid screen consisting of a solid wooden fence, in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping along the perimeters of the property abutting the residential district or use, in accordance with the provisions of Section 4-400, Landscaping and screening standards.
  - d. Canopy: Flat canopies are not permitted. Canopies must have a minimum 4:12 pitch. The edge of the pump canopy shall be setback at least 15 feet from all property lines.
  - e. Curb cuts: There shall be a maximum of two curb cuts per property. Corner lots shall be limited to one curb cut per street frontage. Curb cuts for corner lots shall

be located at least 75 feet from the intersection, or as deemed appropriate by the City Engineer.

- f. Vending machines: One vacuum and one air compressor shall be permitted on-site. Vending machines are treated as outside sales and display. Refer to the handout on Outdoor Sales, Service, Storage and Display available through the Community Development Department for further clarification. **[Amended 6-3-2014 by Ord. No. 7034]**
  - g. Outside sales: Outside product display and sales of seasonal items are prohibited. Propane tanks stored in one locked metal cage are not treated as outside sales and permitted subject to the approval of the City's Fire Prevention Bureau. For any other outside display and sales, refer to the handout on Outdoor Sales, Service, Storage and Display available through the Community Development Department for further clarification. **[Amended 6-3-2014 by Ord. No. 7034]**
  - h. Propane tanks stored in one locked metal cage are not treated as outside sales and permitted subject to the approval of the City's Fire Prevention Bureau. For any other outside display and sales, refer to the handout on Outdoor Sales, Service, Storage and Display available through the Community Development Department for further clarification. **[Amended 6-3-2014 by Ord. No. 7034]**
  - i. Monitoring: Monitoring wells finished at appropriate depths and locations best suited to detect a contaminate plume are required to be designed and located by a groundwater professional for stations within the Crystal Lake Watershed or as determined by the City Engineer.
  - j. Electronic pricing signs: Electronic pricing signs must be requested as part of the special use permit.
14. Used merchandise stores. Used merchandise stores must comply with the following standards: **[Amended 11-19-2013 by Ord. No. 6972]**
- a. Location: Used merchandise stores 15,000 square feet in area or less must be located more than 500 feet from an existing similar use. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use.
  - b. Outdoor display: Outdoor display, storage, and sales of items is not permitted.
  - c. Police inspection: Records of all items purchased and sold shall be kept and shall be made available during regular business hours for inspection by the Police Department.
  - d. Electronic reporting: Any used merchandise store that purchases electronic goods or jewelry is required to report/upload to LeadsOnline, or the City's current electronic reporting system, the information outlined by the City's Police Department for each and every transaction where electronic goods or jewelry were purchased by the end of that business day. All information shall be recorded in the English language. The electronic reporting requirement also applies to all used merchandise stores that conduct 10 or more purchase

transactions (not limited to electronic goods or jewelry) in one week (calculated from each Monday through the next Sunday, inclusive).

15. Crematories. Crematorium uses must comply with the following standards:
  - a. Enclosed structure: The cremation unit shall be within a fully enclosed permanent structure. All exterior venting stacks must be screened or designed as an integral part of the building roofline.
  - b. Objectionable conditions: The crematorium must be so operated so as not to produce hazardous, objectionable or offensive conditions at or beyond the property line boundaries by reason of odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, solid and liquid wastes, fire or explosion.
  - c. Cremation unit: The cremation unit (and operation of the unit) must conform to all applicable federal and state regulations pertaining to environmental quality and any other health and public safety requirements, including 410 ILCS 18, Crematory Regulation Act, as amended.
  - d. Traffic and hours of operation: Restrictions may be placed on the amount of traffic and hours of operation of the facility in order to ensure compatibility and minimize impacts on surrounding land uses.
  - e. Accessory uses: Accessory uses, such as residential quarters as required by other applicable statutes are permitted.
16. Pet care (except veterinary) services. Pet care (except veterinary clinics) services must comply with the following standards: **[Amended 1-18-2011 by Ord. No. 6641; 8-2-2016 by Ord. No. 7247]**
  - 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 six-foot tall solid 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. (This criterion does not apply to facilities that only provide grooming services.)
  - 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 a multi-tenant building, the suite may be required to be soundproofed to ensure sound levels do not exceed 65 dB as measured five feet from the adjacent interior wall of the adjacent tenant suites.
  - f. Adjacent to residential properties: Where the pet care facility is located in a freestanding building, tenant space, or the outside run for the pet care facility is adjacent to a property occupied by a residential use, a special use permit approval is required.



17. Limited-service restaurants, snack and nonalcoholic beverage bars. Limited-service restaurants and snack and nonalcoholic beverage bars, where required to obtain a limited or special use must comply with the following standards:
  - a. Maximum area: In the M-L or M Zoning District, small, limited-service restaurants and snack and nonalcoholic beverage bars are permitted except as standalone buildings to reduce vehicle trips and provide service to existing building tenants.
  - b. Seating: Following a staff review, seating can be limited to reduce the required numbers of parking spaces to ensure that adequate parking is available for all building tenants.
  - c. Drive-through: If a drive-through is proposed, it must meet the applicable requirements listed in Section 203C-7.
18. Drinking places (alcoholic beverages). Drinking places (alcoholic beverages) must comply with the following standards:
  - a. Screening: Any bars, taverns, nightclubs and lounges located adjacent to a residential property shall provide an six foot tall solid screen consisting of a solid wooden fence along the perimeters of the property, in accordance with the provisions of Section 4-700, Fences, walls and screening.
  - b. Entrance: one clearly-marked, main entrance for all patrons to enter and exit from, exclusive of fire exits or other required points of ingress and egress must be provided.
  - c. Live music: If live music is to be played, in-wall sound-barriers or other means to prevent sound from traveling beyond the property lines of the subject property must be provided. Any amplified sound as measured at the closest property line of the closest adjoining property, must not exceed 55 decibels where adjoining residential property and 65 decibels where adjoining nonresidential property.
19. Sidewalk or outdoor seating. Sidewalk or outdoor seating areas must comply with the following standards: **[Amended 1-18-2011 by Ord. No. 6641]**
  - 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 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) 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.
  - (vii) 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) Outdoor seating areas shall be located at least six feet from driveways, drive aisles and alleys, and at least 10 feet from intersections.
  - (vi) A minimum of three 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.

20. Nursery school, pre-school. Nursery schools and pre-schools must comply with the following standards:
- a. Location: If the nursery or pre-school is not located in a standalone building:
    - (i) It shall be located on the first floor of a principal structure.

- (ii) It shall be segregated (including the rest rooms) from the remaining portion of the building in which it is located.
  - b. Outdoor play areas: All outdoor play areas shall:
    - (i) An outdoor play area, meeting DCFS regulations must be provided.
    - (ii) Have a fence at least four feet in height that completely encloses the play area, and is designed so all persons entering the play area are within direct line of sight from the classroom areas.
    - (iii) Be safely segregated from parking, loading, or service areas and
    - (iv) Not be used for outdoor play activities after 8:00 p.m.
  - c. Parking area, vehicular circulation, and drop-off and pick-up: Parking areas and vehicular circulation patterns shall be designed to:
    - (i) Enhance the safety of children as they arrive at and leave the facility; and
    - (ii) Include a designated pickup and delivery area, providing at a minimum one parking space per 20 children, that is located adjacent to the child-care center in such a way that children do not have to cross vehicular travel ways to enter or exit the center.
  - d. Located on site of religious establishment: If the nursery or pre-school is located on the site of a religious establishment, it is allowed as an accessory use only if designed and located such that it does not cause significant traffic impacts, per the determination of the City Engineer.
- 21. Elementary and secondary schools. Any elementary or secondary schools must comply with the following standards:
  - a. Location: Any principal building shall be located at least 50 feet from surrounding residential properties.
  - b. Temporary structures: If temporary structures are needed for expansion space, such structures shall not be located between the principal building and any abutting right-of-way (an exception to this standard shall be considered where there is no other practical alternative due to topography, presence of utilities or easements, existence of undisturbed open space and buffers, or other site features that are beyond the landowner's control). Temporary structures are limited for a period not to exceed one year.
- 22. Junior colleges, colleges, universities and professional schools. Junior colleges, colleges, universities and professional schools must comply with the following standards:
  - a. Master plan: All colleges, universities, and junior colleges occupying more than 20 acres must seek approval for a master planned unit development to adequately plan for future expansions.
  - b. Parking: Provide the required parking according to the parking requirements outlined in Section 4-200, Off-Street parking and loading. Additionally,

educational uses that are located in multi-tenant buildings must submit a schedule of classes indicating the times at which all classes are offered and the maximum number of students that will be attending each class to verify that adequate parking is provided throughout the property.

- c. Dormitories: Dormitories accessory to the junior colleges, colleges, universities and professional schools are permitted.
23. Amusement and theme parks. Amusement and theme parks must comply with the following standards:
- a. Minimum development area: Amusement and theme parks shall be located on a minimum of five acres.
  - b. Site design: All permanent buildings or structures must be located at least 100 feet from surrounding residential properties.
  - c. Access roads: All points of vehicular access must be from an arterial or major collector street. The access points shall be located to minimize vehicular traffic to and through local streets in residential areas.
  - d. Lighting: All lighting shall be designed and installed in accordance with the requirements of Section 4-800, Exterior lighting standards.
  - e. Natural features: Wherever possible, the use shall preserve existing natural land features, including, but not limited to, water features and tree stands.
  - f. Screening: Indoor/OUTDOOR water parks and amusement parks located adjacent to residential properties shall provide an eight-foot tall solid screen consisting of a solid wooden fence along the perimeters of the property, in accordance with the provisions of Section 4-700, Fences, walls and screening.
24. Amusement arcades. Amusement arcades must comply with the following criteria:
- a. Enclosed facility: All activities shall take place within a wholly enclosed building.
  - b. Loitering: All persons waiting for service shall wait within the establishment. No exterior waiting or loitering shall be allowed.
  - c. Trash: Adequate trash and recycling facilities shall be maintained within the establishment for the use of customers.
  - d. License: If an amusement arcade license is not granted (or subsequently revoked) by the City Council, the limited use permit shall become null and void.
25. (Reserved)<sup>3</sup>
26. Batting cages, ice skating/roller skating rinks, mini/pitch-n-putt golf. Batting cages, ice skating rinks and mini/pitch-n-putt golf facilities must comply with the following standards:

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3. Editor's Note: Former Subsection C-25, Ball rooms, dance hall, banquet hall, was repealed 8-2-2016 by Ord. No. 7247.

- a. Hours of operation: The use must not operate later than 11:00 p.m., seven days per week, where adjacent to residential property.
  - b. Screening: Uses located adjacent to a residential property shall provide an eight-foot-tall solid screen consisting of a solid fence in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping along the side and rear perimeters of the property that is in compliance with the provisions of Section 4-400, Landscaping and screening standards.
27. Billiards/Pool parlor/hall. Billiards/Pool facilities, where required to obtain a limited use, must comply with the following standards:
- a. Billiards or pool facilities in the Neighborhood Business B-1 District are limited to a maximum of 50% of the total floor area for the entire building or buildings on a lot or within a development. Standalone facilities are required to be developed as a special use.
28. Convention center. Convention centers must comply with the following standards:
- a. Minimum lot area: Convention centers must be located on a minimum of five acres.
  - b. Distance from residential property: The building shall be located a minimum of 100 feet from any residential property, as measured from all property lines.
  - c. Vehicular access: All points of vehicular access shall be derived from an arterial or major collector street. The access points shall be located to minimize vehicular traffic to and through local streets in residential areas.
29. Golf courses and country clubs. Golf courses and country clubs must comply with the following standards:
- a. Setbacks: All principal structures such as pools, bath houses, restaurants or clubhouses shall be set back at least 100 feet from the front property line and at least 50 feet from other property lines.
  - b. Lighting: All exterior lighting shall be designed to meet the requirements of Section 4-800, Exterior lighting standards.
  - c. Additional requirements: The City may impose restrictions upon access to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact on the enjoyment of the adjacent residential properties.
30. Large-scale entertainment venue. Large-scale entertainment venues must comply with the following standards:
- a. Minimum development area: Large-scale entertainment venues shall be located on a minimum of five acres.
  - b. Site design: No part of any permanent buildings or structure may be located closer than 100 feet to surrounding residential property.

- c. Access roads: All points of vehicular access must be from a major or minor arterial street. The access points shall be located to minimize vehicular traffic to and through local streets in residential areas.
  - d. Frontage: The property or assemblies of properties where the entertainment venue is located shall have a minimum 400 feet frontage at the point of primary access.
  - e. Lighting: All lighting shall be designed and installed in accordance with the requirements of Section 4-800, Exterior lighting standards.
  - f. Screening: Large-scale entertainment venues located adjacent to residential property shall provide an six-foot-tall solid screen consisting of a solid wooden fence, in accordance with the provisions of Article 7, Fences, Walls and Screening.
31. Shooting range. Shooting ranges must comply with the following standards:
- a. General: Shooting ranges shall be permitted only as indoor facilities. It is required that all shooters must complete an orientation safety program or show a valid firearm owners identification (FOID) card, before they are allowed to discharge firearms.
  - b. Sound barrier: All shooting ranges shall provide ceiling and in-wall sound barriers to prevent sound from traveling beyond the property lines of the subject property.
  - c. Number of shooters: The number of shooters shall be limited to the number of firing points or stations identified on the plans.
  - d. Storage of ammunition: The storage of ammunition on site shall be limited to that utilized on the property within 48 hours. The storage of live ammunition must occur in an approved safe.
  - e. Other applicable regulations: The shooting range must comply with all applicable local and state laws, rules and regulations regarding the discharge of a firearm.
  - f. Incidental sales of fire arms are permitted, provided they meet all applicable federal, state and local regulations.
32. Squash/racquetball/handball/tennis club/facility. Squash, racquetball, handball and/or tennis club facilities must comply with the following standards:
- a. Screening: All property lines adjoining residential property shall provide a six-foot tall solid screen consisting of a solid fence in accordance with the provisions of Section 4-700, Fences, walls and screening, or landscaping along the side and rear perimeters of the property in accordance with the provisions of Section 4-400, Landscaping and screening standards.
  - b. Lighting: All exterior lighting shall be designed to meet the requirements of Section 4-800, Exterior lighting standards.

- c. Noise: Activities which produce a level of noise that exceeds the general character of the surrounding residential properties is not permitted.
  - d. Additional requirements: The City may impose restrictions upon access to the facility, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact on the enjoyment of the adjacent residential properties.
33. Commercial stables, including riding arenas. Commercial stables, including riding arenas, must comply with the following standards:
- a. Minimum development area: A commercial stable shall be located on a property with a minimum area of 1/2 acre per horse kept on the property excluding roads.
  - b. Parking: All parking must occur on-site on an approved surface (Approved surface shall mean asphalt/bituminous, concrete/PCC and any surface that is approved by the City's Community Development Department) in accordance with the provisions of Section 4-200, Off-street parking and loading. **[Amended 6-3-2014 by Ord. No. 7034]**
  - c. Special events: The number of shows or other events permitted at the stable will be determined by the City Council through the approval of a temporary use permit, after consideration of the impact of such occurrences on adjacent properties and public facilities.
  - d. Outdoor speakers: No outdoor speakers may be used except as permitted by the City Council in connection with a permitted event through the temporary use permit.
  - e. Trespassing: Stable operators are responsible for preventing trespassing on adjacent properties by patrons and horses.
34. Hotels (except casino hotels), motels and inns. Hotels, motels, and inns must comply with the following standards:
- a. Building setback: The principal building shall be setback at least 50 feet from all property lines.
  - b. Minimum lot area: A hotel, motel or inn shall be located on a property with a minimum lot area of one acre.
  - c. Living quarters area: All living quarters must measure at least 400 square feet gross floor area.
  - d. Area devoted to non-living quarters: Up to 15% of the gross floor area of a hotel, motel or inn may be in non-living-quarter incidental uses (accessory uses), including management/employee offices, meeting rooms, banquet halls, retail services, such as newsstands and gift shops, and similar uses, provided any incidental business is conducted primarily to service guests, and, there is no entrance to such places of business except from the inside of the building.
  - e. Eating establishments: In addition to the accessory uses allowed, up to an additional 20% of the gross floor area of a hotel, motel or inn may be devoted

to food service and drinking establishments as an accessory use. The eating establishment(s) may have an entrance from outside the principal building.

35. Resorts. Resorts must comply with the following standards:
- a. Minimum development area: Resorts shall be located on a minimum of five acres.
  - b. Natural features: Resort areas shall preserve and enhance the enjoyment of existing natural land features, including but not limited to water features and tree stands.
  - c. Ownership status: Resort uses shall provide information regarding the ownership status of the proposed use. Resorts that contain units or property that are individually-owned shall be required to provide covenants, conditions, and restrictions indicating the maintenance responsibilities for all units and the grounds of the resort.
36. Bed-and-breakfast inn. Bed-and-breakfast inn uses must comply with the following standards:
- a. General: The owner and/or operator of the bed-and-breakfast use must reside in the bed-and-breakfast dwelling. A bed-and-breakfast use must be located more than 1,000 feet from any other existing bed-and-breakfast use, unless the City Council adopts a subarea plan that permits this spacing to be reduced. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use. A bed-and-breakfast must be located in a structure that is permitted in the zoning district in which it is located.
  - b. Guest rooms: A maximum of five guest rooms are permitted. Depending upon the location, the available buffers, and amount of available parking, the Zoning Administrator may restrict the number of guest rooms to a lesser number.
  - c. Meals: Only guests staying in the dwelling, employees, or persons living in the premises may be served meals. Cooking implements including, but not limited to, stoves, grills or ovens are not allowed in the individual guest rooms.
  - d. Duration of stay: Guest stays shall be limited to 21 consecutive days.
  - e. Detached carriage houses or cottages: Detached carriage houses or cottages not exceeding 400 square feet are permitted as one guest room per bed-and-breakfast.
  - f. Off street parking: The site shall comply with the required number of parking spaces identified in Section 4-200, Off-street parking and loading. Parking areas less than 10 spaces are not required to meet the landscaping requirements, but must be screened from all adjacent residences and residential zoning by providing a six-foot tall solid fence in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping, in accordance with the provisions of Section 4-400, Landscaping and screening standards, surrounding the perimeters of the parking lot.



- g. Other applicable regulations: A bed-and-breakfast shall comply with all applicable state, federal and local regulations, including but not limited to 50 ILCS 820 (Bed-and-Breakfast Act), as amended.
  - h. Signs: One sixteen-square-foot freestanding sign (maximum four feet high) and one four-square-foot wall sign are permitted. A sign permit through the Community Development Department is required. **[Amended 6-3-2014 by Ord. No. 7034]**
37. Hostels. Hostels must comply with the following standards:
- a. Screening: Hostels containing outside recreation areas, located adjacent to a residential property shall provide an six-foot tall solid screen consisting of a solid wooden fence, in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping along the perimeters of the property, in accordance with the requirements of Section 4-400, Landscaping and screening standards.
  - b. Cooking: Cooking facilities or kitchens are not permitted in the dwelling units.
  - c. Sleeping rooms: Sleeping rooms must be accessed via a common room or hallway, and shall not have individual access to the outside (except those required for emergency exits).
  - d. Signs: One nine-square-foot freestanding sign (maximum six feet high), one four-square-foot wall sign and one six-square-foot temporary sign (maximum six feet high) are permitted. A sign permit through the Community Development Department is required. **[Amended 6-3-2014 by Ord. No. 7034]**
38. Standalone automatic teller machines. Standalone automatic teller machines (ATM) must comply with the following standards:
- a. If the standalone ATM is proposed as a drive-through, it must meet the applicable requirements listed in Section 203-C-7.
  - b. Signage shall be restricted to two sides of the ATM.
  - c. If a canopy is proposed for the ATM, the piers shall be constructed of high quality material such as brick or stone. The canopy shall match the architectural style of the principal building on site. If a canopy is not proposed, the entire ATM shall be within an enclosure.
39. Home day care, up to eight children. Home day care uses which provide day care services for three to eight children (including any of the day care providers adopted, biological or foster children that are under the age of 12 years) must comply with the following standards:
- a. State license: If licensed by the Illinois Department of Children and Family Services (DCFS), the day care provider shall provide a copy of the DCFS license.
  - b. Evacuation plan: The day care provider shall provide a copy of the evacuation plan.

- c. Hours of operation: Home day care uses shall be permitted to provide day care services from 6:00 a.m. to 7:00 p.m.
  - d. Fenced play area: All day care uses shall provide a fenced outdoor play area measuring at least 600 square feet in area. The fencing surrounding the play area shall contain at least one gated exit that measures at least three feet in height.
  - e. Pick-up and drop-off: Customers picking up or dropping-off children must park in the driveway of the day care or outside the functional area of any intersection to avoid sight-distance issues.
40. Commercial child-care center. Commercial child-care centers must comply with the following standards:
- a. State license: The center operator shall provide proof of obtaining an Illinois Department of Children and Family Services (DCFS) license.
  - b. Evacuation plan: The center operator shall provide a copy of the evacuation plan.
  - c. Location: If the child-care center is not located in a standalone building:
    - (i) It shall be located on the first floor of a principal structure;
    - (ii) It shall be segregated (including the rest rooms) from the remaining portion of the building in which it is located.
  - d. Hours of operation: The center shall not provide day care for more than 18 hours per day.
  - e. Fenced play area: There shall be a minimum of 75 square feet of fenced outdoor area per child for the maximum number of children to be cared for at one time. The preferred location for the fenced play areas is in the rear or side yard.
  - f. Loading area: A designated pickup and delivery area shall be included, that is long enough to accommodate a bus, and is located adjacent to the child care building, in such a way that children do not have to cross vehicular travel ways to enter or exit the center.
41. Hospitals. Hospitals must comply with the following standards:
- a. Minimum development area: Hospitals shall be located on property with a minimum of five acres.
  - b. Access roads: Hospitals shall have access to an arterial or major collector street. Traffic shall not travel through neighborhood connector or local streets.
  - c. Loading area: A designated drop-off/pick-up area shall be included in front of the building, that is long enough to accommodate a bus and which is exclusive of the required parking lot drive aisles.
  - d. Natural features: The development plan shall identify all natural features such as wetlands, water features, mature tree stands, steep slopes and where feasible, preserve these existing natural features.

- e. Recreational open space: The facility shall provide appropriate recreational, open space area and paved paths throughout the property for employees and patients to use.
  - f. Heliport/helipad: If a heliport or helipad is provided as an accessory use to the facility, it shall be located at least 1,000 feet from surrounding residential property. The heliport/helipad shall meet all Federal Aviation Administration guidelines as applicable.
42. Veterinary services. Veterinary services must comply with the following standards:
- a. Kennel: No kennel (overnight boarding) shall be maintained outside of the principal building.
  - b. Outdoor area: The facility shall include a minimum of 200 square feet of outdoor enclosed yard for every 1,000 square feet contained within the principal structure. Such yard areas shall be enclosed by a solid, decorative fence or masonry wall at least six feet in height.
  - c. Soundproofing: When located in multi-tenant (or multi-suite) buildings, veterinary services shall be insulated and soundproofed, in order to minimize all loud and disturbing noises that might disturb those persons in adjoining suites.
43. Temporary shelters. Temporary shelters must comply with the following standards:
- a. Staffing: Evidence shall be submitted to the City, that the staffing of the facility is in compliance with any state licensing agency requirements.
  - b. Traffic: The operation of buses and vans to transport residents to and from off-site activities shall not generate vehicular traffic substantially greater than that normally generated by residential activities in the surrounding area, in the opinion of the City Engineer.
  - c. Parking: The on-street parking demand generated by the facility due to visitors shall not be substantially greater than that normally generated by the surrounding residential activities.
  - d. Delivery of goods: Arrangements for delivery of goods shall be made within the hours that are compatible with and will not adversely affect the livability of the surrounding residential properties.
  - e. Noise levels: The facility's program shall not generate noise at levels that will adversely affect the livability of the surrounding properties.
  - f. Distance: The distance between the proposed shelter and any existing group home be at least 1,000 feet. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use.
44. Religious establishments. Religious establishments must comply with the following standards:
- a. Site design: Where possible, open space areas, including but not limited to stormwater detention facilities shall be located adjacent to residential property.

- Parking lots shall be located close to the rights-of-way and away from adjacent residential property.
- b. Outdoor activities: Group outdoor activities shall not be permitted after 10:00 p.m. in residential districts or on lots which are adjacent to residential property.
  - c. Traffic control: For high attendance events, manual traffic control by the Police Department may be required, if determined to be necessary by the Chief of Police.
  - d. Nursery school/pre-school: Any accessory nursery school or pre-school associated with the religious establishment shall comply with the standards of Section 302C-20, Nursery School, Pre-school.
  - e. Modification of standards: The Zoning Administrator shall have the authority to grant modifications to any of the standards listed in this section in order to eliminate a substantial burden on religious exercise as guaranteed by the Federal Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. § 2000), as amended. In granting such a modification, the Zoning Administrator may require conditions consistent with the federal act that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties.
45. Cemeteries, columbaria and mausoleums. Cemeteries, columbaria and mausoleums must comply with the following standards:
- a. Location: Cemeteries located within the City's wellhead recharge areas will be subject to site specific analysis by the City's stormwater consultant.
  - b. Accessory uses: Caretaker's residence or offices are permitted as accessory uses and must meet the setback requirements of the zoning district they are located in.
  - c. Height: Columbaria, mausoleums, or other buildings for the purposes of interment, located within 100 feet of vacant land classified as residential, or lands on which single-family detached development is located, shall not exceed two stories in height.
46. Public or private parking structure. Public and private parking structures must comply with the following standards:
- a. Location: Public and private parking structures shall not be located contiguous to residential properties.
  - b. Parking structure in B-4 District: If located in the B-4 District, the parking structure should have retail or office uses on the ground floor across the street frontage.
  - c. Access: Restrictions regarding the number of access points and the method by which vehicles circulate through the site shall be determined following submittal to and review by the City of a traffic study, which shall be provided by the owner to the City, in accordance with the provisions of this Ordinance.

- d. Compatibility: Parking structures must be designed in a manner such that they are architecturally compatible with the surrounding street character.
  - e. Landscaping:
    - (i) Parkway trees shall be provided surrounding all perimeters of the property for which the structure is located. Landscape areas shall be provided at the foundation of the perimeters of the structure, in accordance with the provisions of Section 4-400, Landscaping and screening standards.
    - (ii) Landscape islands and planting beds shall be incorporated into the rooftop levels of parking structures, where possible, in accordance with the provisions of Section 4-400, Landscaping and screening standards.
  - f. Security: Security lighting shall be provided to safely illuminate all areas of the parking structure, especially stairways. The use of photocell units and motion sensors is encouraged as a means of saving energy. Security cameras and exclusive 911 telephone emergency boxes shall be provided on each level of the structure.
47. Airport, heliport. Airports and heliports (private and public) must comply with the following standards:
- a. Site design: Site design shall comply with the requirements of the Federal Aviation Administration, as amended.
  - b. Noise: Written evidence of the documented noise levels for aircraft to be used (sound pressure level measured at one-hundred-foot intervals from the use at 1 khz) must be provided.
48. Radio transmission towers, wireless communication facilities. Radio transmission towers and wireless communication facilities must comply with the following standards:
- a. Purpose and intent: The purpose of this section is to establish general standards for the siting of radio transmission towers and wireless communications towers and antennas. The intent is to:
    - (i) Protect residential areas and land uses from potential adverse impacts of towers and antennas and encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal.
    - (ii) Encourage the location of towers in nonresidential areas.
    - (iii) Minimize the total number of new towers throughout the City.
    - (iv) Strongly encourage the joint use of new and existing tower sites as the primary option rather than construction of additional single-use towers.
    - (v) Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.

- (vi) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
  - (vii) Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.
- b. Applicability.
- (i) Unless specified elsewhere in this Ordinance, all wireless communication and radio transmission towers and antennas in the City shall be subject to these standards.
  - (ii) Radio transmission towers and wireless communication towers and antennas shall comply with the standards in this section regardless of their status as a principal or accessory uses.
  - (iii) For purposes of measurement, tower separation distances shall be calculated and applied to facilities irrespective of City and other governmental jurisdictional boundaries.
  - (iv) Radio transmission towers and wireless communication towers, which do not have at least one user at the time of construction, shall be prohibited.
- c. Exemptions: The following shall be exempt from the standards of this section (but shall be required to comply with other relevant standards in this Ordinance):
- (i) A tower used by a public agency exclusively for police, fire, medical emergency services, E911 or other public emergency communications.
  - (ii) Building-mounted wireless communications towers with an overall height (including antennas) of 20 feet or less.
  - (iii) Receive-only "dish" antennas with a diameter of 39 inches or less located in a residential district and 80 inches or less located in nonresidential districts, subject to the accessory use standards in this Ordinance.
  - (iv) Antennas legally operated by FCC-licensed amateur radio operators.
- d. Standards for freestanding radio transmission and wireless communication towers: Freestanding wireless communication or radio transmission towers, whether as a principal or accessory use, shall comply with the following standards:
- (i) Safety:
    - I. Towers shall be designed to meet the wind loading requirements specified in the American National Standards Institute TIA-222-F Report, as amended.
    - II. The owner/applicant shall provide documentation to the City demonstrating that the structural integrity of the towers and antenna will continue to comply with state and federal standards, local building codes, and the applicable standards for towers published

by the American National Standards Institute (ANSI), as amended. If, upon inspection, it is determined a tower fails to comply with such standards and constitutes a danger to persons or property, the owner shall be notified that he/she has 30 days to bring the tower into compliance. Failure to bring the tower into compliance within 30 days shall constitute grounds for the removal of the tower at the owner's expense.

- (ii) Height: Freestanding wireless communication or radio transmission towers shall not exceed 200 feet in height as measured from the tower base to the highest point of the tower and any attached receiving or transmitting device.
- (iii) Franchises and licenses: The operator shall provide documentation to the City to demonstrate that all franchises and licenses required by law for the construction and/or operation of a tower or antenna have been obtained.
- (iv) Color:
  - I. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color (i.e., light grey) to reduce visual obtrusiveness or painted in a sky-tone above the top of surrounding trees and in an earth-tone below the treetop level.
  - II. At a tower site, the design of buildings and related structures shall, to the maximum extent practicable, use materials, colors and architectural styles, that blend into the natural setting and surrounding buildings.
- (v) Storage: No outside storage shall be allowed on any facility site.
- (vi) Lighting: Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.
- (vii) Signage:
  - I. A single sign measuring no more than two square feet in size shall be located on or near the tower, and shall identify the tower owner, the street address of the tower, the owner's identification code for the tower, and a twenty-four-hour emergency contact telephone number.
  - II. No commercial advertising shall be allowed on the tower or its related facilities.
- (viii) Single lot: Towers, guy anchors, equipment buildings, and any other appurtenances related to the tower shall be considered as being located on one zoning lot.
- (ix) Setbacks: Wireless communications facilities shall comply with the following setback standards:

- I. Self supporting and monopole towers shall be setback from all property lines by a distance of 110% of the height of the tower.
  - II. Guyed towers shall meet the minimum setback standards for the zone district where located. The setback shall be measured from a line connecting the outermost anchor points for guy wires.
  - III. Equipment buildings associated with a wireless communication facility shall meet the minimum setback requirements for the zoning district where located.
- (x) Separation: If an applicant proposes a new wireless communications tower or radio transmission tower within 1,200 feet of an existing tower, the applicant shall submit a statement indicating the reasons why the existing tower(s) was inadequate or unavailable. The Zoning Administrator shall allow the owner of such existing tower an opportunity to comment prior to making a decision.
- (xi) Collocation: New wireless communication or radio transmission towers shall provide evidence that the tower is structurally designed to support at least three additional users, and provide a written statement that the owner of the tower is willing to permit other user(s) to attach communication facilities, on a commercially reasonable basis, which do not interfere with the primary purpose of the tower. The site plan shall indicate a location for at least one equipment building in addition to that proposed for use by the applicant. A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless a monopole is determined more appropriate at the specific location. If an existing tower is increased in height or reconstructed to accommodate the collocation of additional antenna it shall meet the height restrictions outlined within this section of the Ordinance.
- (xii) Landscaping: Unless existing vegetation provides a buffer strip, all property lines along roadways or visible to existing abutting or nearby buildings (within 1/4 mile radius), for all facilities shall be landscaped as follows:
- I. With six-foot to eight-foot evergreen shrubs planted in an alternate pattern, five feet on center and within 15 feet of the site boundary; or
  - II. With at least one row of deciduous trees, not less than 2 1/2 inch to three inches caliper measured three feet above grade, and spaced not more than 30 feet apart and within 25 feet of the site boundary; or
  - III. With at least one row of evergreen trees at least four to five feet in height when planted, and spaced not more than 15 feet apart within 40 feet of the site boundary.
  - IV. In lieu of the foregoing, the Planning and Zoning Commission may determine that the existing vegetation must be supplemented to meet an equivalent means of achieving the desired goal of minimizing the visual impact.



- (xiii) Security fencing: Towers, guy anchor supports, and ground-based equipment buildings shall be enclosed by security fencing not less than eight feet in height and equipped with an appropriate anti-climbing device.
  - (xiv) Radiation reporting: It shall be demonstrated that the proposed tower, antenna, and supporting equipment complies with FCC nonionizing radiation requirements for individual and combined facilities.
  - (xv) Interference: No wireless communications tower, antenna, or supporting equipment shall interfere with equipment operated by the City of Crystal Lake.
- e. Compliance with state or federal laws and regulations: Towers and antennas shall meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government that regulates towers and antennas. If such standards and regulations change, owners shall be responsible for bringing the towers and antennas into compliance with the changed standards and regulations within six months of their effective date, unless a different compliance schedule is mandated by the controlling regulations (Failure to bring towers and antennas into compliance shall constitute grounds for removal of the tower or antenna, at the owner's expense.).
- f. Legal nonconforming wireless communication towers:
- (i) Legal nonconforming wireless communication towers shall be allowed to remain and be maintained in accordance with the nonconforming provisions of this Ordinance. Additional equipment may be added to the tower, provided that such additions do not increase the degree of nonconformity.
  - (ii) If a tower is not used for a period of 90 consecutive days, the Zoning Administrator may send notice to the tower owner indicating that the tower must be removed within 180 days from the date of notice.
- g. Antenna placement on an existing structure: An antenna may be attached to any business use or multiple-family building in accordance with the following standards:
- (i) Height: The antenna is not extended more than 30 feet above the highest point of the building or structure.
  - (ii) Location:
    - I. The antenna should be setback at least 10 feet from the property line abutting a street and five feet from any other property line.
    - II. The dish antenna must not exceed a total surface area of 10 square feet when located on the roof of a structure when located in a residential district.
  - (iii) Appearance.

- I. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or compatible with, the color of the structure on which it is located to make the antenna and related equipment as visually unobtrusive as possible.
  - II. Ground-based equipment complies with the landscaping and security fencing requirements for wireless communications towers in this section above.
49. Landfill and transfer station. Landfills and transfer stations must comply with the following standards:
- a. Environmental assessment: Provide an environmental impact statement from a qualified expert in the related field that the use will not negatively affect ground water resources or contaminate the environment and will comply with all federal and state EPA requirements.
  - b. Watershed: Landfills and transfer stations shall not be located within a one mile radius of the Crystal Lake Watershed.
  - c. Statement of need: Provide a written petition to seek a special use approval for landfill that states that the project is necessary to accommodate the solid waste management needs of the area it is intended to serve.
  - d. Compatibility criteria: The project shall be located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property.
  - e. Plan of operation: Provide a detailed operation plan stating the number of refuse hauling vehicle trips, the vehicle routes, hours of operation, volume of waste to be hauled and other applicable operating criteria as determined by the City Engineer.
  - f. Government standards: Written evidence shall be provided that standards and requirements for health and safety protection and licensing by jurisdictions other than the City, as well as those required by City ordinance have been met.
  - g. Screening: An eight-foot tall solid screen consisting of a solid fence, in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping, in accordance with the provisions of Section 4-400, Landscaping and screening standards, shall be provided along the perimeters of the property.
  - h. Additional mitigation: Additional requirements may be imposed by the Zoning Administrator, Planning and Zoning Commission and the City Council to mitigate the effects of this use on the adjacent properties and the infrastructure.
50. Recycling facilities. Recycling facilities must comply with the following standards:
- a. Materials: Recycling of paper, glass, plastic and metal products is permitted.

- b. Environmental assessment: An environmental impact statement from a qualified expert in the related field shall be provided to the City, attesting that the use will not negatively affect ground water resources or contaminate the soil.
  - c. Site design: Recycling facilities shall be designed such that a main drive-aisle is provided through the principal building to allow materials to be brought into the facility and removed from vehicles.
  - d. Location: Facilities must be located not less than 250 feet from any residential district, existing residential use, religious institution use, community service use, day care use, school (elementary, middle, or senior high), or public park. All operations, including storage and collection of materials, shall be conducted within a completely enclosed building.
  - e. Outdoor storage: There shall be no outdoor storage of materials processed, used, or generated by the operation.
  - f. Plan of operation: A detailed explanation of the facility operation, that includes the measures that will be used to mitigate problems associated with noise, fumes, dust, and litter shall be provided to the City.
  - g. Maintenance: The facility must perform continual, daily maintenance of the site to immediately collect any stray debris.
51. Concrete batch plant. Concrete batch plants must comply with the following standards:
- a. Air quality: Concrete batch plants shall provide an air filtration system that alleviates air quality issues with the cement used in the processing and complies with all federal and state EPA requirements. A retractable cover system for the stored dry goods to mitigate air quality issues that arise out of wind erosion must be provided.
  - b. Screening: All equipment and stored materials shall be screened from view with solid fencing, opaque landscaping, and by using natural relief in elevation. In many cases, the height of the fencing or landscaping will not be able to conceal the stock, equipment or materials from view of adjacent properties. Consideration will be given to the type of materials being stored and the impact of the visibility on the adjacent and surrounding property owners.
  - c. Access roads: Permanent access roads shall have a surface approved by the City Engineer and designed to meet applicable industrial standards. Temporary access roads into and out of the plant shall be comprised of a stone base and crushed asphalt top layer.
52. Earth extraction, materials processing and stockpiling. Extraction and materials processing, stockpiling uses must comply with the following standards:
- a. Environmental impact: Provide an environmental impact statement from a qualified expert in the related field that the use will not negatively affect ground water resources or contaminate the environment and will comply with all federal and state EPA requirements.

- b. Excavation location: Excavation shall not take place within a minimum of 100 feet of any street or boundary line. Where deep quarrying of 30 feet or more is planned, boundary setbacks shall be a minimum of 150 feet and shall conform to state reclamation standards.
- c. Stockpiling location: No processing and stock piling operations shall be conducted closer than 660 feet to any estate, residential, commercial or office district or within 660 feet of any public or private educational facility or medical facility. All processing operations should be enclosed whenever possible and shall be enclosed whenever the operation is to be in existence for a longer period of time than nine months. Stockpile areas shall be screened from view.
- d. Setbacks: Buildings, structures, storage or repair areas shall be located in conformance with yard requirements of the zoning district.
- e. Access roads: Permanent access roads shall have a surface approved by the City Engineer and designed to meet applicable industrial standards. Temporary access roads into and out of the plant shall be comprised of a stone base and crushed asphalt top layer. Roads shall be maintained in a dust-free condition.
- f. Perimeter roads: Perimeter roads shall be buffered from extraction activities with earth mounds at least 10 feet in height, which store topsoil. Mounds shall be planted with grass or other suitable material, as an erosion retardant.
- g. Truckloads: All truckloads of extracted materials removed from the site shall be covered with tarpaulin in conformance to state standards to ensure public safety and prevent damage to individuals or their vehicles.
- h. Safety: All operations shall be conducted in a safe manner, especially with respect to hazards to persons, damage to adjacent lands or improvements, and damage to any street by slides, sinking or collapse of supporting soil adjacent to an excavation. No extraction operation shall be conducted in a manner so as to lower the water table on surrounding properties.
- i. Final conditions: No excavation, removal, or fill shall be permitted if the finished conditions result in the following:
  - (i) Deep pits having side slopes of greater than 30°;
  - (ii) Serious on-site erosion problems or erosion problems which could extend to neighboring properties;
  - (iii) Undrained depressions other than artificial lakes, or drainage problems, which adversely affect neighboring properties.
- j. Groundwater table: No extraction operations shall be conducted in such a manner that the groundwater table of surrounding properties is lowered. This determination is to be made from data secured from testing wells installed, located, operated and maintained by the operator on the perimeter of the excavation site.
- k. Time limit: Special uses for the extraction of earth products shall be issued for a period of time not to exceed 10 years, upon application and compliance

with all standards related to obtaining a special use permit. Such approvals are renewable for additional five year periods.

- I. Surety: A corporate surety bond or guaranteed letter of credit shall be furnished to the City to assure compliance with an approved reclamation map. The bond or letter of credit shall be in the amount of \$100,000 or \$1,000 per acre, whichever is greater, for the completion of operations and the reclamation of the tract.
53. All other noxious uses. All uses not identified or defined in this Ordinance and that are determined by the Zoning Administrator to be noxious uses must comply with the following standards:
- a. Environmental impact: Provide an environmental impact statement from a qualified expert in the related field that the use will not negatively affect ground water resources or contaminate the environment and will comply with all federal and state EPA requirements. The Zoning Administrator has the ability to require additional environmental studies, information or reports based upon the nature of the use.
  - b. Activity: Location of all activities associated with the use must be maintained indoors in a controlled environment.
  - c. Site design: Provide open/green space buffers on all perimeters of the property, per the discretion of the Zoning Administrator.
  - d. Screening: Provide an six-foot tall solid screen consisting of a solid fence in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping in accordance with the provisions of Section 4-400, Landscaping and screening standards, along the perimeters of the property. An eight-foot fence may be required in some cases, if determined necessary by the Zoning Administrator.
  - e. Additional mitigation: Additional requirements may be required by the Zoning Administrator and the Planning and Zoning Commission and the City Council, if applicable, to mitigate the effects of the noxious use.
54. Self storage, mini warehouses. Self-storage and mini-warehouse uses must comply with the following standards:
- a. General: No business activity other than the rental of storage units shall be conducted on the premises. The storage of hazardous, toxic or explosive substances, including, but not limited to, hazardous waste, industrial solid waste, medical waste, municipal solid waste, septage, or used oil is prohibited.
  - b. Site layout: Buildings shall be situated such that the doorways or access points are facing away from the yards abutting street rights-of-way.
  - c. Screening: An eight feet tall solid screen consisting of a solid wooden fence in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping along the perimeters of the property in accordance with the provisions of Section 4-400, Landscaping and screening standards, shall be provided.

- d. Landscaping: Landscaping shall be provided within a minimum five-foot-wide landscape beds along the foundations of the ends of the storage buildings, in accordance with the provisions of Section 4-400, Landscaping and screening standards.
  - e. Security: Security lighting shall be provided to safely illuminate all areas of the facility. The use of photocell units and motion sensors is encouraged as a means of saving energy. If overnight security personnel will be staying at the facility, provide details regarding the location of the proposed residence. Appropriate utilities to serve the unit shall be provided. No more than one overnight unit shall be provided per facility.
55. Warehousing distribution. Warehousing Distribution uses must comply with the following standards:
- a. Minimum separation: Warehousing Distribution uses shall be located at least 100 feet from any residential district, existing residential use, religious institution use, community facility uses, day care use, school (elementary, secondary, junior college or university), or public parks.
  - b. Outdoor storage: Outdoor storage areas must be located to the rear of the principal structure and be screened with a solid wooden fence or masonry wall no less than eight feet in height in accordance with Section 4-700, Fences, walls and screening. Outdoor storage areas shall not be located within the required setback or perimeter buffer.
  - c. Public address systems: If outdoor speaker or public address systems are installed, the maximum decibel level at the property line shall not exceed 55 where adjoining residential property and 65 where adjoining nonresidential property.
  - d. On-site circulation: Warehousing distribution facilities shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation, and turning movements.
  - e. Access: Have direct access onto an arterial or major collector street.
56. Animal raising. Animal raising uses must comply with the following standards:
- a. Minimum site area: Animal raising shall be conducted on a minimum of 1/2 acre of land.
  - b. Setbacks: Corrals, paddocks, pens and other outdoor animal enclosures shall be located at least 50 feet from any residential property. Other structures on site shall meet the required setbacks per Article 3, Density and Dimensional Standards.
  - c. Odor and vector control: All animal enclosures, including, but not limited to, pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Sites shall be maintained in a neat and sanitary manner.

- d. Minimum lot areas: The following minimum lot areas listed below are required depending on animal type. Lot area used to qualify one animal type, shall not be reused to qualify another animal type.
    - (i) Fish raising shall be limited to one pond, 1/2 surface acre in area per acre.
    - (ii) Dogs and cats shall be limited to 10 per acre
    - (iii) Horses shall be limited to four per acre.
  - e. The slaughtering or dressing for sale of animals shall be permitted only if they are produced, raised, or fattened on the premises.
  - f. Any animal not specifically classified within this chapter shall be classified by the Zoning Administrator based upon a determination of what it is most similar to and as to the probable impact on the health, safety or general welfare of the community and the neighborhood.
57. Campground. Campgrounds must comply with the following standards:
- a. Place of residence: No campsite or recreational vehicle location shall be used as a permanent place of residence, except for the owner or manager and permanent maintenance personnel, who shall reside in caretaker quarters.
  - b. Intensity: The overall density of campsites shall not exceed five sites per gross acre of land.
  - c. Setbacks: Campsites must be set back 100 feet from the front yard lot line and 50 feet from the side and rear lot lines.
  - d. Camping sites: Camping sites a minimum of 1,200 square feet in size and at least 25 feet in width must be provided. Each campsite shall be improved with at least one paved parking space.
  - e. Open space: Open space for common areas shall be planned and provided for at convenient, centralized locations to provide at least 100 square feet per campsite or recreational vehicle site.
  - f. Utilities: All recreational vehicle spaces shall be served with sanitary sewer, water, and electrical power, all of which shall be located underground. All other campsites shall have water and electric power provided and rest room facilities served by sanitary sewer. one rest room facility shall be located within 500 feet of all campsites.
  - g. Public telephone: At least one public telephone for each 50 campsites must be provided.
58. Bee production. Bee production must comply with the following standards: **[Amended by Ord. No. 6543; 1-18-2011 by Ord. No. 6641]**
- a. No more than two 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 feet 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 six-foot-high barrier or vegetated fence is required to direct the bees flight upward or the hive must be raised six feet 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. All colonies shall be managed to promote gentleness and mitigate swarming. Any colony exhibiting aggressive behavior without provocation shall be immediately destroyed or re-queened by the beekeeper with a queen bred for gentleness and non-swarmling characteristics.
  - g. Proof of registration of the colonies with the State of Illinois Department of Agriculture must be provided.
59. Temporary retail use/activity. **[Amended 1-18-2011 by Ord. No. 6641]**
- 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.
60. Park and recreation facilities. Park and recreation facilities must comply with the following standards: **[Amended 1-18-2011 by Ord. No. 6641; 3-1-2016 by Ord. No. 7200]**
- a. A special use permit is required where structures such as lighting standards in excess of 20 feet in height for sports fields are installed or where any building or buildings in excess of 900 square feet are proposed.
  - b. Structures shall be constructed of building materials complementary to the existing structures and be similar in architectural style.
61. Electronic message center (EMC) signs except gasoline electronic pricing signs. All electronic message center (EMC) signs, except gasoline electronic pricing signs, must comply with the following standards: **[Amended 7-5-2011 by Ord. No. 6687]**
- a. Number permitted: One EMC Sign may be incorporated into any freestanding business sign on a property, provided that such freestanding sign would otherwise be permitted within the underlying Zoning District and subject to the following restrictions:



- (i) Minimum width: The zoning lot upon which an EMC may be permitted must have a minimum of 200 contiguous lineal feet of frontage that must be located on Route 14 or Route 31.
- (ii) Minimum area: The zoning lot upon which an EMC may be permitted must have a minimum of two acres of total lot area.
- (iii) Maximum gross surface area: The maximum gross surface area of the EMC portion of any sign shall not exceed 32 square feet or 40% of the sign's total area; whichever is smaller. The EMC portion must occupy the bottom half of the sign. The maximum gross area of any sign within which an EMC sign is incorporated shall comply with the requirements for maximum gross surface area based on the underlying Zoning District and shall include the surface area of the EMC. The sign must be outside of the required setback and located on the middle third of the property.
- (iv) Maximum height: The EMC sign, including any sign in which the EMC is incorporated, shall comply with the maximum height permitted for any sign based on the underlying Zoning District to which the property is located.
- (v) Preexisting nonconforming signs: An EMC sign cannot be incorporated into a preexisting nonconforming sign.
- (vi) Minimum design standards: The EMC sign shall meet all the following design conditions:
  - I. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;
  - II. All EMCs located on properties adjacent to residential uses must be extinguished from 11:00 p.m. until 7:00 a.m. This restriction shall apply regardless of the location of the EMC on the property;
  - III. The message area of an EMC can be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs;
  - IV. The EMC unit must have the "flash" feature disabled and messages shall have a five-minute "hold" time except for time and temperature messaging which may have a shorter duration, but no less than one minute or separate the sign into two areas - one for the message and the other for the time and temperature;
  - V. The messages displayed on the EMC may only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages;

- VI. Except as otherwise provided herein, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may not be displayed and this function of the EMC must be disabled;
  - VII. The EMC unit must be equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies, but such override authority for public emergencies shall not exceed 48 total hours within any two week period. The owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority; and
  - VIII. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
- (vii) A freestanding sign may have not more than two sign faces. Freestanding signs with more than one sign face must be designed to have the sign faces attached back to back to the support structure. No V-shaped freestanding EMC signs shall be permitted.
  - (viii) EMC signs located within the Estate District are limited to special event centers as defined in Article 10-200. **[Added 12-11-2017 by Ord. No. 7419]**
  - (ix) The EMC unit shall otherwise comply with all other provisions of Section 4-1000 of the Crystal Lake Unified Development Ordinance ("Signs"), including, but not limited to, the prohibition of Off-Premise Signs.
62. Gasoline electronic pricing signs. All gasoline electronic pricing signs must comply with the following criteria: **[Amended 12-20-2011 by Ord. No. 6732]**
- a. Gasoline electronic pricing (GEP) signs are permitted only on properties where a special use permit for a gasoline station has been previously granted by the City.
  - b. The GEP sign may be incorporated into (1) freestanding business sign on the property. A new freestanding sign incorporating a GEP portion must meet all the ordinance requirements for that sign.
  - c. The GEP portion of the sign shall meet all the following design conditions:
    - (i) The GEP unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to ambient light at all times of the day. Such programming and mechanical equipment shall be set so that the GEP, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;
    - (ii) The GEP unit must be illuminated by white, amber, or green incandescent lamps, LED (light-emitting diode) or magnetic discs;

- (iii) The pricing displayed on the GEP unit may only transition from one message (price) to another by either fading or dissolving to black with another message (price) appearing immediately thereafter, without movement or other transition effects in between;
    - (iv) Except as otherwise provided herein, all messages displayed on the GEP unit must be static and may not reflect movement, flashing scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video is not permitted and this function of the EMC must be disabled; and
    - (v) The GEP sign must be set in a manner that the display will turn dark in case of a malfunction.
  - d. The maximum gross surface area of the GEP portion of the sign shall not exceed 20 square feet.
  - e. Prices cannot switch between multiple grades on one GEP. The GEP must display only one grade or have separate GEP for each grade.
- 63. Funeral homes. All funeral homes must comply with the following standards: **[Added 11-5-2013 by Ord. No. 6970]**
  - a. Cross-access agreements with adjoining properties are required to handle overflow parking. Where a cross-access is not possible, other arrangements approved by the City Engineer are necessary. Where cross-access is provided, accommodations must be made such that pedestrians are able to utilize the parking safely.
- 64. Major automotive repair uses with automobile dealer as an ancillary use. All automobile dealers as an ancillary use to major automotive repair uses must comply with the following standards: **[Added 11-5-2013 by Ord. No. 6970]**
  - a. Vehicles for sale: Vehicles available for sale are limited to automobiles and light trucks, such as sport utility vehicles, and passenger and cargo vans.
  - b. Display areas: All vehicle display areas must be paved with an approved surface (Approved surface shall mean asphalt/bituminous, concrete/PCC and any surface that is approved by the City Engineer). Display areas shall be setback a minimum of five feet from all adjacent property lines and 10 feet from roadways.
  - c. Site plan: A striping plan for the parking lot, illustrating the location of the customer/employee parking, display area for vehicles for sale, location of any screening materials for the principal use, including fences or landscape, and on-site circulation patterns must be provided. Areas for customer and employee parking and vehicles for sale must be clearly identified on the site plan. The required number of parking spaces must be maintained at all times.
  - d. Landscaping: Landscaping is not required within or surrounding vehicle display areas. Parking lot landscaping in accordance with Section 4-400, Landscaping and screening standards, shall be provided for employee and customer parking areas.

- e. Signage: All signage, including all vehicle and window signage, must meet the provisions of the UDO for industrial uses.
65. Massage establishment. All massage establishments must comply with the following criteria: **[Added 6-3-2014 by Ord. No. 7034B]**
- a. A floor plan, drawn to scale is required illustrating all the services/uses listed.
  - b. A complete list of the names, residence addresses, with zip codes, and dates of birth of all licensed massage therapists engaged in massage at the massage establishment, as well as current copies of the licenses as issued by the State Department of Professional Regulation of all licensed massage therapists must be provided.
  - c. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
  - d. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
  - e. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
  - f. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.
  - g. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 8:00 a.m. **[Amended 8-2-2016 by Ord. No. 7247]**
  - h. No residential use is permitted within the massage establishment at any time.
  - i. Alcohol is not permitted to be served in a massage establishment at any time.
  - j. Prior to applying for a special use permit, the owner shall complete the required massage license application. The license shall be reviewed and approved prior to moving forward with the special use application. **[Added 12-11-2017 by Ord. No. 7419]**
  - k. By applying for a special use, the applicant is authorizing the City, its agents or employees to seek information and conduct an investigation into the truth of the statements set forth in the application, including an investigation of the applicant's character, qualification and criminal background check.
  - l. By applying for a special use, the applicant is consenting to unannounced inspections by the City, its agents or employees for the purpose of determining if the provisions of this section are met.
  - m. Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.

66. Medical cannabis cultivation centers. All medical cannabis cultivation centers must comply with the following standards: **[Added 6-17-2014 by Ord. No. 7038]**
- a. Minimum distance from protected uses: No medical cannabis cultivation center shall be established, maintained or operated on any lot that has a property line with 2,500 feet of the property line of a preexisting public or private preschool or elementary or secondary school or day-care center, day-care home, group day-care home, part-day child-care facility, or an area zoned for residential use.
  - b. Measurement: For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable cultivation center is located to the nearest point on a property line of any protected use (as defined in Section 2-400C-66a above).
  - c. Compliance with state regulations and rules: Each cultivation center shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto.
  - d. Single-use site: No cultivation center may be established in multiple use or tenant property or on a site that shares parking with other uses.
  - e. Setbacks: Each cultivation center shall be a minimum of 50 feet from all property lines.
  - f. Parking:
    - (i) Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by cultivation center staff and are continually recorded in a tamper proof format.
    - (ii) The video surveillance system shall be available 24 hours per day, and seven days per week to the City of Crystal Lake Police Department and law enforcement agencies via a secure web-based portal.
  - g. Signage:
    - (i) All commercial signage for a cultivation center shall be limited to one flat wall sign not to exceed 10 square feet in area, and one identifying sign, not to exceed two square feet in area, which may only include the cultivation center address. Such signs shall not be directly illuminated.
    - (ii) Electronic message boards and temporary signs are not permitted in connection with a cultivation center.
    - (iii) Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth, or language referencing cannabis.
  - h. Age and access limitations: Each cultivation center shall prohibit any person who is not at least 21 years of age from entering the cultivation center property. Cultivation centers shall not employ anyone under the age of 21. Access to

the cultivation center site shall be limited exclusively to cultivation center staff, local and state officials and those specifically authorized under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).

- i. Security and video surveillance:
  - (i) All cultivation, production and related operations at a medical cannabis cultivation center shall occur in an enclosed locked facility ("facility"). Each cultivation center shall provide and maintain adequate security on the entire site on which the cultivation center sits, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the facility from theft. The facility shall be enclosed by a high-security fence or wall. The fence or wall must be adequately secure to prevent unauthorized entry and include gates tied into an access control system.
  - (ii) The medical cannabis cultivation center parking area, cultivation, production, warehousing areas and shipping bays and entrances shall be monitored by video surveillance equipment whose live images can be viewed by cultivation center staff and are continually recorded in a tamper proof format.
  - (iii) The video surveillance system shall be available 24 hours per day, and seven days per week to the City of Crystal Lake Police Department and law enforcement agencies via a secure web-based portal.
  - (iv) A sign shall be posted in a prominent location which includes the following language: "THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE."
  - (v) The Chief of Police or his/her assigned designee shall review the adequacy of lighting, security and video surveillance installations with the assistance from local law enforcement officials. The Chief of Police or his/her assigned designee and the Crystal Lake Police Department have the discretion to conduct periodic reviews of the security features, as appropriate.
  - (vi) Loading of product shall occur within secure enclosed shipping bays and shall not be visible from the exterior of the facility.
- j. Noxious odors: All cultivation centers shall operate in a manner that prevents odor impacts on neighboring premises or properties and, if necessary, the facility shall be ventilated with a system for odor control.
- k. Conduct on site:
  - (i) A cultivation center may not sell or distribute any cannabis to any individual or entity other than a dispensary organization registered under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).

- (ii) It shall be prohibited to cultivate, manufacture, process or package any product, other than medical cannabis and cannabis infused products, at a cultivation center.
  - (iii) It shall be prohibited to consume cannabis products in a cultivation center or anywhere on the site occupied by the cultivation center. A sign, at least 8.5 inches by 11 inches, shall be posted inside a cultivation center building in a conspicuous place and visible to staff and shall include the following language: "Smoking, eating, drinking, ingesting or other forms of consumption of cannabis products is prohibited on cultivation center property."
- 67. Medical cannabis dispensaries. All medical cannabis dispensaries must comply with the following standards: **[Added 6-17-2014 by Ord. No. 7038]**
  - a. Minimum distance from protected uses:
    - (i) No medical cannabis dispensary shall be established, maintained or operated on any lot that has a property line with 1,000 feet of the property line of a preexisting public or private preschool or elementary or secondary school or day-care center, day-care home, group day-care home, or part-day child-care facility.
    - (ii) No medical cannabis dispensary shall be established, maintained or operated in any house, apartment, condominium, or an area zoned for residential use.
  - b. Measurement: For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable medical cannabis dispensary is located to the nearest point on a property line of any protected use [as defined in Section 2-400C-67a(i) above].
  - c. Compliance with state regulations and rules: All medical cannabis dispensaries shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto.
  - d. Single-use site: No medical cannabis dispensary shall be established in multiple use or tenant property or on a site that shares parking with other uses.
  - e. Setbacks: Each medical cannabis dispensary shall be a minimum of 30 feet from its surrounding property lines.
  - f. Buffering from other medical cannabis dispensaries: Each medical cannabis dispensary shall be a minimum of 1,000 feet from all other dispensaries, as measured from the applicable property lines.
  - g. Parking:
    - (i) Parking shall be located in an area which is visible from a public road or a private road that is accessible to the public. It cannot be screened from the roadway with vegetation, fencing or other obstructions.

- (ii) Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by dispensary staff and are continually recorded in a tamper proof format.
- h. Exterior display: No medical cannabis dispensary shall be maintained or operated in a manner that causes, creates or allows the public viewing of medical cannabis, medical cannabis infused products or cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or any property other than the lot on which the dispensary is located. No portion of the exterior of the dispensary shall utilize or contain any flashing lights, search lights or spot lights or any similar lighting system.
- i. Signage and advertising:
  - (i) All commercial signage for a medical cannabis dispensary shall be limited to one flat wall sign not to exceed 10 square feet in area, and one identifying sign, not to exceed two square feet in area, which may only include the dispensary address. Such signs shall not be directly illuminated. Exterior signs on the dispensary building shall not obstruct the entrance or windows on the dispensary.
  - (ii) Electronic message boards and temporary signs are not permitted in connection with a medical cannabis dispensary.
  - (iii) Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth, or language referencing cannabis.
  - (iv) A sign shall be posted in a conspicuous place at or near all dispensary entrances and shall include the following language: "Only cardholders, designated caregivers, and staff may enter these premises. Persons under the age of 18 are prohibited from entering." The required text shall be no larger than one inch in height.
  - (v) Any additional merchandise packaging provided by a dispensary, such as bags, sacks, totes or boxes, shall be opaque without text or graphic advertising or identifying the contents of the products contained within.
- j. Drug paraphernalia sales: Medical cannabis dispensaries that display or sell drug paraphernalia shall do so in compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 et seq.) and the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).
- k. Age and access limitations: Each medical cannabis dispensary shall prohibit any person who is not at least 18 years of age from entering the dispensary facility. Dispensaries shall not employ anyone under the age of 18. Access to the dispensary facility shall be limited exclusively to dispensary staff, cardholders, designated caregivers, local and state officials, and those specifically authorized under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.)



- l. Hours of operation: A medical cannabis dispensary may operate between the hours of 6:00 a.m. local time to 8:00 p.m. local time.
- m. Drive-in windows: Medical cannabis dispensaries may not have drive-in or drive-through services.
- n. Security and video surveillance:
  - (i) Each medical cannabis dispensary shall be an enclosed locked facility ("facility"). Each dispensary shall provide and maintain adequate security on the entire property on which the dispensary exists, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the facility from theft.
  - (ii) The medical cannabis dispensary parking areas, client entrances, sales areas, back rooms, storage areas and delivery bays and any other entrances shall be monitored by video surveillance equipment whose live images can be viewed by dispensary staff and are continually recorded in a tamperproof format.
  - (iii) A sign shall be posted in a prominent location in the dispensary which includes the following language: "THIS AREA IS UNDER LIVE/RECORDED VIDEO SURVEILLANCE TO AID IN THE PROSECUTION OF ANY CRIMES COMMITTED AGAINST THE FACILITY OR ITS PATRONS."
  - (iv) The Police Chief or his/her assigned designee shall review the adequacy of lighting, security and video surveillance installations. The Police Chief or his/her assigned designee and the Crystal Lake Police Department have the discretion to conduct periodic reviews of the security features, as appropriate.
  - (v) Each medical cannabis dispensary shall report all criminal activities occurring on the property to the applicable law enforcement agency immediately upon discovery.
  - (vi) Deliveries shall occur between 7:00 a.m. local time and 8:00 p.m. local time within a secure enclosed delivery bay and shall not be visible from the exterior of the facility.
- o. Conduct on site:
  - (i) Loitering is prohibited on the dispensary property.
  - (ii) It shall be prohibited to consume cannabis products in a medical cannabis dispensary or anywhere on the site occupied by a dispensary. A sign, at least 8.5 inches by 11 inches, shall be posted inside the dispensary building in a conspicuous place and visible to a client and shall include the following language: "Smoking, eating, drinking, ingesting or other forms of consumption of cannabis products is prohibited on dispensary property."

68. Home kitchen and cottage food operations. Home kitchen and cottage food operations must comply with the following criteria: **[Added 3-1-2016 by Ord. No. 7200]**
- a. The City of Crystal Lake hereby adopts and incorporates the provisions of the Food Handling Regulation Enforcement Act (410 ILCS 625/1 et seq.), as amended.
  - b. Home kitchen operations and cottage food operations, as defined by the Food Handling Regulation Enforcement Act, as amended, are permitted within the City of Crystal Lake. The sale of non-potentially hazardous food by home kitchen operations and by cottage food operations is also permitted in accordance with the Food Handling Regulation Enforcement Act.
  - c. The City of Crystal Lake hereby authorizes the direct sale of baked goods as described in Section 4 of the Food Handling Regulation Enforcement Act.
  - d. The home kitchen and cottage food operations must demonstrate compliance with the limited use criteria for a home occupation (Section 2-400C3).
69. Charging stations are permitted to utilize existing parking spaces without affecting a property's ability to meet parking requirements. Electric vehicle charge stations shall comply with the following criteria: **[Added 3-1-2016 by Ord. No. 7200]**
- a. A maximum of two charging stations per property are permitted.
  - b. Charging stations shall not be located in front or side yards abutting a street.
  - c. Charging stations cannot block access to handicapped accessible spaces.
  - d. Each charging station is permitted a maximum of one square foot of signage.
70. Internet auto sales. All internet auto sales must comply with the following standards: **[Added 12-11-2017 by Ord. No. 7419]**
- a. The City of Crystal Lake shall be designated as the point of sale for sales tax purposes.
  - b. No outdoor display or storage shall be permitted.
71. Stealth-designed wireless communication antennas. All stealth-designed wireless communication antennas must comply with the following standards: **[Added 12-11-2017 by Ord. No. 7419]**
- a. Purpose and intent: The purpose of this subsection is to establish general standards for the siting of stealth-designed wireless communication antennas. The intent is to:
    - (i) Encourage users of antennas to configure them in a way that minimizes the adverse visual impact of the antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.
    - (ii) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.

- (iii) Avoid potential visual effects to adjacent properties through engineering and careful siting of antenna structures.
  - b. Applicability.
    - (i) Unless specified elsewhere in this Ordinance, all stealth wireless communication antennas in the City shall be subject to these standards.
    - (ii) Stealth wireless communication antennas shall comply with the standards in this subsection as accessory uses.
  - c. Exemptions: The following shall be exempt from the standards of this subsection (but shall be required to comply with other relevant standards in this Ordinance):
    - (i) A tower used by a public agency exclusively for police, fire, medical emergency services, E911 or other public emergency communications.
    - (ii) Receive-only "dish" antennas with a diameter of 39 inches or less located in a residential district and 80 inches or less located in nonresidential districts, subject to the accessory use standards in this Ordinance.
    - (iii) Antennas legally operated by FCC-licensed amateur radio operators.
  - d. Standards for stealth-designed wireless communication antennas: Stealth-designed wireless communication antennas, an accessory use, shall comply with the following standards:
    - (i) Wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured or otherwise not readily apparent to a casual observer.
    - (ii) Antennas must be located on or in structures already permitted within the zoning district in which they are located, such as steeples, water towers, crosses, streetlights, monuments and parapet walls. The antennas must be designed to blend into the structure.
    - (iii) The antenna must not increase the height of the structure to which it is mounted.
    - (iv) All ground-mounted equipment associated with the stealth-designed wireless communication antennas must be fully screened with a solid board-on-board fence or with six-foot to eight-foot evergreen shrubs planted in an alternate pattern, five feet on center. **[Added 6-18-2019 by Ord. No. 7553]**
    - (v) All ground-mounted equipment associated with the stealth-designed wireless communication antennas must meet the required setbacks for accessory structures as outlined in this Ordinance. **[Added 6-18-2019 by Ord. No. 7553]**
72. (Reserved)
73. (Reserved)

74. (Reserved)
75. (Reserved)
76. Cannabis dispensary. All cannabis dispensaries must comply with the following standards: **[Added 10-1-2019 by Ord. No. 7576]**
- a. Minimum required buffer from protected uses:
- (i) A cannabis dispensary may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day-care center, or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.
  - (ii) A cannabis dispensary may not be located within 500 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
  - (iii) A cannabis dispensary may not be located within 250 feet of residentially zoned property.
  - (iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property of the lot on which an applicable cannabis dispensary is located to the nearest point on a property line of any protected use. For occupancy purposes, if a portion of the buffer touches the property, it does not exclude the entire property. If a portion of the building is in the buffer, the entire building would be considered in the buffer and not eligible.
  - (v) Summary of buffer requirements:

Use	Required Buffer (feet)
Schools	500
Child care	500
Religious establishment	500
Residentially zoned property	250
Parks and open space	500
Library	500
Recovery home	500

- b. Sale of food for on-premises consumption shall not be allowed as an accessory use or activity to a cannabis dispensary.
- c. A cannabis dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.

- d. Exterior display: A cannabis dispensary shall be maintained or operated in a manner so that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of operation: Hours of operation are limited to between 6:00 a.m. and 10:00 p.m.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- g. Signage: Electronic message center signs are not permitted for a cannabis dispensary. No cannabis leaf or bud image may be used in promotional signage for the dispensary.
- h. State requirements: The cannabis dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as may be revised or amended from time to time.
- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the City of Crystal Lake.
- j. On-premises consumption: It shall be prohibited to consume cannabis products in a cannabis dispensary or anywhere on the site occupied by a dispensary.

**SECTION 2-500. Temporary use criteria. [Amended 7-7-2009 by Ord. No. 6475; by Ord. No. 6543; 1-18-2011 by Ord. No. 6641; 12-20-2011 by Ord. No. 6765; 6-3-2014 by Ord. No. 7034; 8-2-2016 by Ord. No. 7247]**

- A. Application. Applications for temporary use permits (TUPs) shall be made to and approved by the Zoning Administrator. TUPs 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.
- B. Review criteria for temporary uses. The following standards for specific uses, to be approved as temporary uses, are hereby established:
1. General temporary uses. All other promotions, events, or uses that are determined to be a temporary use by the Zoning Administrator must comply with the following criteria:
    - a. Term: The petitioner shall specify the date(s) of the activity.
    - b. Event details: Provide a detailed written explanation of the promotion or event, including, but not limited to, hours of operation, lists of activities, location of activities, and an explanation of who would be participating in the use.
    - c. Location: A site plan shall be provided illustrating the location of all items, activities, and equipment to be used during the event or promotion.
    - d. Other conditions: The temporary use must comply with the conditions of approval, as required by the City's departments.

**SECTION 2-600. Industrial performance standards.**

- A. Purpose. It is the purpose of this section to establish standards for the installation and operation of industrial uses based upon consideration of the environmental impact of such uses. The standards established, and found in pertinent state statutes, as amended, and enforced by appropriate state agencies, shall provide the basis for determining the proper zone for particular uses. Uses which cannot meet the minimum standards found herein shall not be considered permitted uses. All uses shall comply at all times with all ordinances of the City.
- B. Applicability. Any principal or accessory uses shall be subject to these standards regardless of the location or zone in which it is permitted.
- C. Permit procedure.
1. Before issuing a building permit for a use in the M Zoning District, the applicant shall furnish sufficient information to enable the Building Commissioner to ensure that all performance standards and site development standards set forth in this Ordinance can and will be complied with at all times. In order to determine whether or not the applicant will meet such standards, the Building Commissioner may require the applicant to submit the following information:
    - a. A site plan showing the location of all existing and proposed structures, drives, parking lots, above or below ground waste disposal and bulk storage areas, adjacent existing structures and zoning, streets, streams or other significant features on or within 200 feet of the proposed site.
    - b. A description of the activity to be conducted, including the type and size of equipment or machinery to be operated, waste products, external effects or other conditions which are regulated herein; provided, however, that the applicant shall not be required to reveal any trade secrets or sufficient details with regard to a process which would cause any secret process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors.
    - c. The type and location of abatement devices to control, or recording instruments to measure conformance with required standards, not including devices and instruments which are inherent in the manufacturing process.
  2. All information and evidence submitted in applications to indicate conformity to performance standards shall constitute certification and agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.
- D. Radiation hazards.
1. The handling of radioactive materials, the discharge of such materials into the air and the water, and the disposal of radioactive wastes shall be in conformance with the following:
    - a. The applicable regulations of the Nuclear Energy Commission; and
    - b. The applicable regulations of any instrumentality of the State of Illinois.

2. Any radioactive material moved into or through the City of Crystal Lake shall be prohibited unless a City license is granted.
- E. Fire and explosive hazards.
1. The applicable provisions of the Illinois Compiled Statutes shall be complied with, and no explosives shall be stored or used, without first submitting to the Building Commissioner, a certificate of compliance from the Illinois Department of Mines and Minerals.
  2. No gasoline, other inflammables or explosives shall be stored unless the locations, plans and construction conform to the laws and regulations of the State of Illinois and have the approval of the State Division of Fire Prevention and the City.
  3. No manufacturing or processing of explosive substances shall be permitted within the City limits.
- F. Glare and heat.
1. Every use and activity shall be so operated that it does not emit heat or heated air beyond the boundary of the lot on which it is located. No direct or sky-reflected glare shall emanate from any use or activity so as to be visible at any point on or beyond the boundary of the lot on which such use or activity is located. The restriction shall not apply to signs otherwise permitted by the provisions of this and other applicable ordinances, nor to activities of a temporary or emergency nature. All uses shall meet all the applicable provisions of Section 4-800, Exterior lighting standards.
  2. Night lighting necessary for safety and the protection of property shall not illuminate or otherwise shine directly upon any neighboring residential property. Any source of light which is injurious to humans, animals or plants is prohibited.
- G. Electromagnetic interference.
1. There shall be no electromagnetic interference that adversely affects the operation of any equipment other than that belonging to the creator of such interference, or that does not conform to the regulations of the Federal Communications Commission.
- H. Environmental standards.
1. Standards for noise, vibration, smoke and particulate matter, odors and similar nuisances are found in the applicable state statutes and enforced by appropriate state agencies.
- I. Enforcement.
1. The Zoning Enforcement Officer shall enforce the provisions of this article. Upon confirmation of a violation, enforcement and penalty provisions of Article 9, Administration, shall prevail. In addition, the City may require that the offending industry install, maintain and operate continuous measuring or recording instruments to demonstrate the operation and to ensure continuous compliance with the prescribed standards.