

ORDINANCE

**AMENDING THE TEXT OF THE MCHENRY COUNTY
UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, the County of McHenry is authorized to enact a zoning ordinance and to provide for its administration, enforcement and amendment; and

WHEREAS, the County of McHenry has previously adopted the McHenry County Unified Development Ordinance, which is currently in effect, pursuant to the statutory procedures and regulation as set forth in the Counties Zoning Act, 55 ILCS 5/5-12001 et. seq.; and

WHEREAS, the County Board of McHenry County deems it necessary, for the purpose of promoting the health, safety, moral, general welfare and orderly development of McHenry County, to amend Various provisions of the Unified Development Ordinance; and

WHEREAS, that in order to accomplish said purpose, the Department of Planning and Development has completed a review of the said provisions of the Unified Development Ordinance and has proposed changes to the same; and

WHEREAS, all requirements of the Counties Zoning Act with regard to preparation, presentation and consideration of the proposed amendments to the McHenry County Unified Development Ordinance have been met.

NOW THEREFORE BE IT ORDAINED by this County Board of McHenry County, Illinois, that the Unified Development Ordinance adopted by the McHenry County Board on October 22, 2014, and amended on January 19, 2016, March 17, 2016, March 19, 2018, and August 21, 2018 is hereby revised in accordance with the attached amendments herewith and made part hereof.

BE IT FURTHER ORDAINED that any text found to be referencing amended sections is to be updated to be consistent with the approved amendments.

BE IT FURTHER ORDAINED that the County Clerk is hereby authorized to insert these amendments of the Unified Development Ordinance into the McHenry County Code of Ordinances and to make any necessary changes to the numbering schema or document formatting necessary to accomplish the same.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

DATED at Woodstock, McHenry County, Illinois on this _____ day of _____, 2019 A.D.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

ACCESSORY STRUCTURES

ACCESSORY STRUCTURE. A STRUCTURE that is located on the same LOT or PARCEL with the PRINCIPAL BUILDING and that is incidental and subordinate to the PRINCIPAL BUILDING. Shipping containers and commercial trailers with wheels removed used for storage are ACCESSORY STRUCTURES. ANCILLARY DWELLING UNITS are not ACCESSORY STRUCTURES. STRUCTURES that are used for AGRICULTURE purposes are not ACCESSORY STRUCTURES.

16.56.050.A.2

2. *Standards for Detached Accessory Structures.*

a. Detached accessory building heights are measured to the highest point of the structure. Unless otherwise permitted or limited by this Ordinance, the following height restrictions apply to detached accessory structures.

(1) In the E-1, E-2, E-3, and E-5 zoning districts, commercial zoning districts, and the office and industrial zoning districts, detached accessory structures are limited to twenty (20) feet in height.

(2) In the R-1, R-2, and R-3 Districts, detached accessory structures are limited to fourteen (14) feet in height for a flat or mansard roof design, and eighteen (18) feet in height for a pitched roof design.

(3) In the Agricultural Districts, on parcels less than ~~or equal to~~ five (5) acres, detached accessory structures are limited to twenty-four (24) feet in height.

(4) In the Agricultural Districts, on parcels five (5) acres or larger ~~than five (5) acres~~, there is no height limitation for detached accessory structures.

(5) In all zoning districts, except the R-1, R-2, and R-3 Districts, there is no height limitation for detached accessory structures that are converted from existing legally constructed agricultural exempt structures, when such conversion does not increase the height of the structure.

16.56.050.H

H. *Fences.*

1. *Fence Construction and Design Requirements.*

a. The finished side of all fences shall face away from the lot or parcel on which it located. All fence posts, excluding those for barbed wire fences, shall be placed on the inside of the fence.

b. A fence or wall, including all posts, bases, and other structural parts shall be located completely within the boundaries of the lot on which it is located. The installation of fencing by a private property owner in the public right-of-way is prohibited.

c. The use of barbed wire or aboveground electrical fences is prohibited, except:

(1) For the purposes of containing farm animals.

(2) On properties in the B-3, I-1, or I-2 districts, provided that it is mounted a minimum of six (6) feet above ground.

(3) As otherwise allowed by this Ordinance.

2. *Solid Fences.* Solid fences obscure more than fifty percent (50%) of the view

through the fence and are subject to the following regulations:

a. Solid fences are limited to a maximum height of six (6) feet, unless a taller fence is otherwise required by this Ordinance.

b. Solid fences are prohibited in effective street yards, with the following exceptions:

(1) Solid fences are permitted along the full length of the rear lot lines of a corner lot ~~s~~ when the rear lot line of another corner lot that abuts at the said rear lot lines ~~of each~~.

(2) Solid fences are permitted along the full length of the lot lines forming the perimeter of the main building site of flag lots and land-locked parcels.

(3) Solid fences are permitted in effective street yards of through lots between the principal building and the rear lot line, with the following regulations:

(a) When the rear lot line abuts a County/State/US Route, Interstate Route or Regional Transportation Corridor (identified in Appendix D) and the adjacent neighboring properties rear lot lines also abuts the same County/State/US Route, Interstate Route or Regional Transportation Corridor, said solid fence may have a setback of zero (0) feet from the edge of the right-of-way.

(b) Along all other roadways, solid fences are to be located ~~but~~ no closer than thirty (30) feet from the edge of the right-of-way.

(c) In no circumstance shall a solid fence interfere with the sight triangle (as shown in Figure 16.72-1).

(4) Solid fences having a maximum height of three (3) feet are permitted in any yard.

c. Construction of solid fences requires a building permit from the Department of Planning and Development.

ACCESSORY SOLAR PANELS

16.56.050.N

N. *Solar Panel.*

1. *General Requirements.* The installation and construction of solar panels is subject to the following development and design standards:

a. A solar panel may be building-mounted or freestanding.

b. Solar panels shall be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

c. All electrical interconnections to the grid shall conform to the National Electrical Code. Prior to issuance of a building permit, applications for grid-connected solar panels shall include a copy of an approved interconnection agreement with the local utility or a letter from the local utility indicating that an interconnection agreement is not required.

d. Advertising signs are prohibited. The manufacturer and equipment information, warning signs, or ownership information is allowed.

e. Accessory solar panels must be secondary to the principal use and must first supply energy to the subject property on which it is located.

f. Any accessory solar panels which combined are rated to produce 500kW or more of electric energy shall follow all of the use standards of §16.56.030.PP.2, 3, 4, & 5 for Solar Farm.

2. *Building-Mounted Systems.*

- a. A building mounted system may be mounted on the roof or wall of a principal building or accessory structure.
- b. On pitched roof buildings, the maximum height of the solar panel shall not exceed the height of the building.
- c. On flat roofed buildings, the solar panel system is limited to the maximum height of five (5) feet above the roof.
- d. Solar panels may project off a building facade as follows.
 - (1) May project up to four (4) feet from a facade.
 - (2) May encroach into a required yard, but no closer than five (5) feet to the side or rear property line.

3. *Freestanding Systems.*

- a. A freestanding system shall follow the setbacks and yard restrictions for accessory structures in § 16.56.050A.1. (Standards for All Accessory Structures).
- b. A freestanding system cannot exceed the maximum building height for accessory structures of the district.
- c. Freestanding solar panels are ~~included in~~ excluded from the calculation of permitted building and impervious surface coverage provided the area beneath the panels is maintained in a pervious condition.

ALLOWABLE ENCROACHMENTS

16.60.010.C.4

4. Permitted encroachments are described in Table 16.60-1: Permitted Encroachments. An encroachment is the extension of an attached accessory structure or architectural feature of a principal dwelling into a required setback as listed in Table 16.36-1: Zoning Districts Bulk and Setback Regulations or as allowed under § 16.80.050D. (Reduced Setbacks).

If the principal dwelling is a nonconforming structure, the amount it encroaches into the required setback in Table 16.36-1 is ~~deducted from~~ added to the allowed encroachment amount granted in Table 16.60-1. With the exception of accessibility ramps, encroachments shall not result in an attached accessory structure or architectural feature being constructed closer than ten (10) feet from a street lot line, fifteen (15) feet from a corner side lot line, or five (5) feet from an interior side or rear lot line. Encroachments into recorded easements are prohibited without the express written permission of the easement holder(s) to which the easement is granted.

TABLE 16.60-1: PERMITTED ENCROACHMENTS				
Y= Permitted // N= Not Permitted				
Attached Accessory Structure or Architectural Feature	Front Setba	Corner Side	Interior Side	Rear Setba

	<i>ck</i>	<i>Setback</i>	<i>Setback</i>	<i>ck</i>
Air Conditioner/HVAC Condensing Unit/ <u>Generators</u> - No more than 3' into a required setback	N	Y	Y	Y

ANCILLARY DWELLING UNITS

TABLE 16.32-1: ZONING DISTRICT USES																
<i>Principal Use</i>	A-1	A-2	E-5	E-3	E-2	E-1	R-1	R-2	R-3	B-1	B-2	B-3	O	I-1	I-2	<i>Use Standards</i>
Dwelling Unit, Ancillary	<u>C</u> <u>P</u>	<u>C</u> <u>p</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>P</u> <u>P</u>							16.56.030.O.
Dwelling, Single-Family	P	P	P	P	P	P	P	P	<u>P</u>							
Dwelling, Two-Family								P	<u>P</u>							

16.56.030.O

O. *Dwelling Unit, Ancillary.*

1. Ancillary dwelling units that exist as of the date of the adoption of this Ordinance are allowed in accordance with Chapter 16.80 (Nonconformities) or the conditional use permit under which they were established, if applicable. Nonconforming ancillary dwelling units can be made conforming by obtaining variations of any noncompliant standard listed below.

2. ~~Nonconforming.~~ Ancillary dwelling units may be made conforming through a conditional use permit, are subject to Table 16.32-1: Zoning District Uses and the following:

3. Ancillary dwelling units may be attached to the principal dwelling unit or detached as a standalone structure. Detached ancillary dwelling units must also follow additional requirements outlined in §16.56.030.O.4.

a. ——— a. Ancillary dwelling units shall meet all building code requirements and McHenry County Department of Health requirements regarding well and septic.

b. Ancillary dwelling units shall be limited to no more than 2 bedrooms.

c. Ancillary dwelling units shall not exceed the size and scope of the principal residence.

d. Lots or parcels containing an ancillary dwelling unit shall be owner occupied. The owner may reside in either the principal residence or the ancillary dwelling unit. No one else shall occupy the owner's unit when the owner is not residing on the property. The homestead exemption per 35 ILCS 200/15-175 could be

used as evidence for this requirement.

e. Only one ancillary dwelling unit is allowed per lot or parcel.

~~b. Detached ancillary dwelling units shall be no more than thirty-five (35) feet in height.~~

~~c.f. One (1) parking space shall be provided for an ancillary dwelling unit in addition to that required for the principal dwelling.~~

~~3. No ancillary dwelling unit may be constructed after the date of the adoption of this Ordinance. Any ancillary dwelling unit constructed after the date of the adoption of this Ordinance, or which is otherwise not allowed as a nonconforming use or existing conditional use permit as stated above shall be an unlawful use and not eligible for a conditional use permit.~~

4. When an ancillary dwelling unit is detached from the principal residence on the property the following requirements apply:

a. Detached ancillary dwelling units shall be no more than thirty-five (35) feet in height and measured in accordance with §16.60.010.F.1.a.

b. Detached ancillary dwelling units are prohibited from being located within the effective street yard.

c. Detached ancillary dwelling units shall meet all of the same side and rear yard setback requirements as a principal structure per Table 16.36-1.

d. The maximum square footage of the footprint of a detached ancillary dwelling unit shall not exceed 900 square-feet.

e. Mobile home trailers and recreational vehicles are prohibited from being used as an ancillary dwelling unit.

CANNABIS

AGRICULTURAL PRODUCE PROCESSING. A FACILITY used for the washing, sorting, juicing, dehydrating, milling, pasteurizing, cooking, canning, bottling, packaging, or storage of AGRICULTURAL PRODUCE harvested on the premises or on property owned or leased by the facility owner. AGRICULTURAL PRODUCE PROCESSING may include the processing of industrial hemp as defined above. AGRICULTURAL PRODUCE PROCESSING shall not include the processing of industrial hemp fiber. (See INDUSTRY, LIGHT and INDUSTRY, HEAVY) AGRICULTURAL PRODUCE PROCESSING shall not include the fermenting, distilling, or mixing of agricultural produce to produce alcoholic beverages, baked goods, or similar food products, or processing of CANNABIS or production of cannabis-infused products as defined by the Illinois Cannabis Regulation and Tax Act. (See FOOD PROCESSING)

AGRICULTURE. The growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, NURSERIES, tree farms, sod farms, pasturage, viticulture and wholesale GREENHOUSES when such agricultural purposes constitute the principal activity on the land, in accordance with the Counties Code (55 ILCS 5/5-12001 *et seq.*). AGRICULTURE includes the wholesale and retail sale of products produced on the site, including FARMSTANDS, HORSE SHOWS, U-PICK OPERATIONS, and COMMUNITY SUPPORTED AGRICULTURE operations. AGRICULTURE also includes GAME BREEDING and HYDROPONICS. AGRICULTURE also includes, without limitation, the growing, developing, processing, conditioning, and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds. AGRICULTURE does not include EARTH EXTRACTION even if such activity is related to an agricultural purpose. AGRICULTURE shall not include the cultivation of CANNABIS as defined by the Illinois Cannabis Regulation and Tax Act. (See CANNABIS CULTIVATION CENTER)

CANNABIS. CANNABIS is marijuana, hashish, and other substances that are identified as including any parts of the plant *cannabis sativa* and including derivatives or subspecies, such as *indica*, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) of greater than 0.3% on a dry weight basis and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction, in accordance with the Illinois Cannabis Regulation and Tax Act. CANNABIS includes cannabis concentrate and cannabis-infused products. CANNABIS shall not include industrial hemp as defined and authorized under the Industrial Hemp Act.

CANNABIS CRAFT GROWER. A FACILITY operated by an organization or BUSINESS that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale to only licensed cannabis dispensing organizations and/or licensed cannabis infuser organizations. CANNABIS CRAFT GROWERS are limited to no more than 5,000 square feet of canopy space on its premises for plants in the flowering state in accordance with the Illinois Cannabis Regulation and Tax Act.

CANNABIS CULTIVATION CENTER. A FACILITY operated by an organization or BUSINESS that is licensed by the Illinois Department of Agriculture to perform necessary activities to provide only licensed cannabis dispensing organizations and/or licensed cannabis infuser organizations with usable cannabis. CANNABIS CULTIVATION CENTERS are limited to over 5,000 square feet of canopy space on its premises for plants in the flower state in accordance with the Illinois Cannabis Regulation and Tax Act.

CANNABIS DISPENSARY. A FACILITY operated by an organization or BUSINESS that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from a licensed CANNABIS CULTIVATION CENTER or licensed cannabis infuser organization for the purpose of dispensing cannabis, cannabis infused produces, paraphernalia, or related supplies and educational materials. CANNABIS DISPENSARY includes sale to registered qualifying medical patients and adults 21 years of age or older for personal use as permitted under the Illinois Cannabis Regulation and Tax Act.

FARMSTAND. A STRUCTURE used for the retail sales of raw fruits, vegetables, and eggs and limited NURSERY items, prepared food items, meat and dairy products, and AGRICULTURAL CRAFTS, subject to the standards established in Chapter 16.56 (Use Standards). FARMSTAND shall not include the dispensing of CANNABIS, cannabis infused produces, paraphernalia, or related supplies. (See CANNABIS DISPENSARY)

FOOD PROCESSING. A FACILITY for the preparation, processing, canning, or packaging of food products including, but not limited to, canning, dairy processing, meat processing, and the milling of grain. FOOD PROCESSING may include production of cannabis-infused products with an approved infuser license as defined by the Illinois Cannabis Regulation and Tax Act.

FREIGHT TERMINAL. A FACILITY where commercial vehicles are stored and maintained and where cargo may be transferred from one transport vehicle to another or between modes of transport including rail, air, truck, or ship. Cargo may be stored on site for a brief period of time. FREIGHT TERMINAL may include transporting organization with an approved transportation license as defined by the Illinois Cannabis Regulation and Tax Act.

GREENHOUSE/NURSERY BUSINESS. A BUSINESS where GREENHOUSE and/or NURSERY products are grown and sold wholesale or directly to retail consumers. GREENHOUSE/NURSERY BUSINESS shall not include the growing or selling of CANNABIS. (See CANNABIS CULTIVATION CENTER and CANNABIS DISPENSARY)

INDUSTRY, HEAVY. The manufacturing or processing of materials or products predominately from raw materials, or a USE engaged in storage or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially generate noise, heat, lighting and glare, dust and air pollution, radioactive and hazardous waste, odors, toxic substances, or fire and explosion hazards, as regulated in § 16.60.040 15.4 (Environmental Performance Standards). HEAVY INDUSTRY uses may include OUTDOOR STORAGE and activity areas. INDUSTRY, HEAVY may include the processing of hemp fiber.

INDUSTRY, LIGHT. The manufacturing, fabrication, assembly, treatment, or packaging of products predominantly from prepared or processed materials, including milled lumber. LIGHT INDUSTRY uses include the incidental storage, sales, and distribution of such products. LIGHT INDUSTRY uses generate limited outside impacts. INDUSTRY, LIGHT may include the processing of hemp fiber.

LABORATORY. A FACILITY for scientific research, investigation, testing, and experimentation. A LABORATORY may include housing of laboratory animals, but not FACILITIES for the manufacture or sale of products. A LABORATORY may include temporary pilot plant installations incidental to the research conducted at the FACILITY. LABORATORY may include the research and testing of CANNABIS.

~~—**MEDICAL CANNABIS CULTIVATION CENTER.**A FACILITY operated by an organization or BUSINESS that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.~~

~~—**MEDICAL CANNABIS DISPENSARY.** A FACILITY operated by an organization or BUSINESS that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered MEDICAL CANNABIS CULTIVATION CENTER for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.~~

RETAIL GOODS ESTABLISHMENT. A BUSINESS that provides physical goods, products, or merchandise for sale directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. A RETAIL GOODS ESTABLISHMENT that sells primarily pre-packaged food products, such as a delicatessen, bakery, or grocery, may offer incidental seating areas for consumption of food on the premises. RETAIL GOODS ESTABLISHMENT excludes any BUSINESS that dispenses cannabis, cannabis infused products, paraphernalia, or related supplies, see CANNABIS DISPENSARY.

TABLE 16.32-1: ZONING DISTRICT USES																
Principal Use	A-1	A-2	E-5	E-3	E-2	E-1	R-1	R-2	R-3	B-1	B-2	B-3	O	I-1	I-2	Use Standards
Agricultural Produce Processing	P	P												P	P	16.56.030WW.
Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	16.56.030B.
<u>Cannabis Craft Grower</u>	<u>P</u>	<u>P</u>								<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	<u>16.56.030CC.</u>
<u>Cannabis Cultivation Center</u>	<u>P</u>	<u>P</u>														<u>16.56.030CC.</u>
<u>Cannabis Dispensary</u>	<u>C</u>	<u>C</u>								<u>C</u>	<u>C</u>	<u>C</u>				<u>16.56.030CC.</u>
Farmstand	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	16.56.030R.
Food Processing	C													P	P	
Freight Terminal														C	P	
Greenhouse/Nursery Business	P	P								P	P	P				16.56.030U.
Industry, Heavy															P	
Industry, Light														P	P	
Laboratory													P	P	P	
<u>Medical Cannabis Cultivation Center</u>	<u>P</u>	<u>P</u>													<u>C</u>	<u>16.56.030CC.</u>
<u>Medical Cannabis Dispensary</u>													<u>C</u>			<u>16.56.030CC.</u>
Retail Goods Establishment										P	P	P	P			

16.56.030.CC

~~—CC. Medical Cannabis Dispensary or Cultivation Center.~~

~~—1. Medical Cannabis Dispensaries are a conditional use in the B-3 District. Medical Cannabis Cultivation Centers are a permitted use in the A-1 and A-2 Districts and a conditional use in the I-2 District.~~

~~—2. All Medical Cannabis Dispensaries and Cultivation Centers shall comply with all state rules and regulations.~~

~~—3. All Medical Cannabis Dispensaries shall be registered by the Illinois Department of Financial and Professional Regulation.~~

~~—4. All Medical Cannabis Cultivation Centers shall be registered by the Illinois Department of Agriculture.~~

~~—5. A Medical Cannabis Dispensary shall not be located within one thousand (1,000) feet of the property line of a pre-existing public or private preschool, elementary school, or secondary school, or day care center, day care home, group day care home, or part day child care facility.~~

~~—6. All Medical Cannabis Dispensaries shall implement appropriate security measures to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.~~

~~—7. A Medical Cannabis Cultivation Center shall not be located within two thousand five hundred (2,500) feet of the property line of a pre-existing public or private preschool, elementary school, 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.~~

~~—8. All cultivation of cannabis shall take place in an enclosed locked facility.~~

CC. Cannabis Dispensary, Cannabis Craft Growers, or Cannabis Cultivation Center.

1. All Cannabis Dispensaries, Craft Growers and Cultivation Centers shall comply with all state rules and regulations.

2. Cannabis Dispensaries shall comply with the following:

a. Cannabis Dispensaries shall be registered by the Illinois Department of Financial and Professional Regulation.

b. Cannabis Dispensary shall not be located within one thousand (1,000) feet of the property line of a pre-existing public or private preschool, elementary school, or secondary school, or RESIDENTIAL CARE FACILITY providing addiction recovery services.

c. Cannabis Dispensaries shall implement appropriate security measures to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.

3. Cannabis Craft Growers shall comply with the following:

a. Cannabis Craft Growers shall be registered by the Illinois Department of Agriculture.

b. Cannabis Craft Growers shall only be located within the Agricultural zoning districts and shall not be located within two thousand five hundred (2,500) feet of the property line of a pre-existing public or private preschool, elementary school, or secondary school, or RESIDENTIAL CARE FACILITY providing addiction recovery services.

c. All cultivation of cannabis shall take place in an enclosed locked facility.

4. Cannabis Cultivation Centers shall comply with the following:

a. Cannabis Cultivation Centers shall be registered by the Illinois Department of Agriculture.

b. Cannabis Cultivation Center shall not be located within two thousand five hundred (2,500) feet of the property line of a pre-existing public or private preschool, elementary school, or secondary school, or RESIDENTIAL CARE FACILITY providing addiction recovery services, or an area zoned for residential use.

c. All cultivation of cannabis shall take place in an enclosed locked facility.

CELL TOWER

TOWER AND ANTENNA, WIRELESS TELECOMMUNICATIONS. Towers, antennas, and ancillary STRUCTURES used to transmit and receive to transmit and/or receive telecommunications signals and AM broadcast station, transmitting communication in the 540 kHz to 1700 kHz band for public reception authorized by the FCC.

16.56.030.SS

SS. *Towers and Antennas, Wireless Telecommunication.*

1. A wireless telecommunications tower or antenna is permitted in any zoning district except on a lot in a residential zoning district that is less than two (2) acres in size and is used for residential purposes, unless a variation is granted by the County Board in accordance with § 16.20.030 (Variation To Wireless Telecommunications Standards).

2. When choosing a location, a telecommunications carrier shall consider the following:

~~— a. Co-location of an antenna on an existing tower or other structure is the most desirable location. If the proposed site is within a one (1) mile radius of an existing tower, applicants shall present clear and convincing evidence as to why co-location is not possible.~~

ab. A lot that is not in a residential zoning district is the most desirable location for a new tower if co-location is not possible.

be. A lot that is in a residential zoning district, but not used for residential purposes is the second most desirable location.

cd. A lot that is in a residential zoning district, that is two (2) acres or more in size, and is used for residential purposes is the third most desirable location.

3. A telecommunications carrier shall consider the following when locating a wireless telecommunications tower and its facilities on a site:

a. No tower or facilities should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.

b. No tower or its facilities may encroach onto an existing septic field.

c. Any tower or its facilities located in a special flood hazard area or wetland shall meet the legal requirements for those lands.

d. Existing trees more than three (3) inches in diameter should be preserved if reasonably feasible during construction. If any tree more than three (3) inches in diameter is removed during construction, a tree three (3) inches or more in diameter of a native species shall be planted as a replacement, if reasonably feasible.

NONCONFORMING SUBDIVISION LOT

§ 16.80.050 NONCONFORMING LOTS OF RECORD.

A. *Definition.* A nonconforming lot or parcel is a tract of land designated on a duly recorded subdivision plat, or by a duly recorded deed, or by other lawful means that comply with the lot area, lot width, lot frontage and other dimensional standards of the zoning district in which it was located at the time of its creation, but that does not comply with the minimum lot area, lot frontage or other dimensional requirement of the zoning district in which it is now located.

B. *Individual Lots or Parcels of Record.*

1. An existing nonconforming lot or parcel of record may be used for a use allowed within the zoning district in which it is located, provided that the structure meets all district bulk and setback requirements. Non-conforming lots and portions of multiple non-conforming lots may be combined into a new non-conforming lot as long as the resulting lot is more conforming with respect to lot area, lot width, lot frontage, and other dimensional standards of the zoning district in which it is located.

C. *Lots or Parcels Deemed Conforming.* Lots or parcels created as a result of the following actions are deemed conforming for the purposes of this Ordinance:

1. When land area is acquired by a government agency for expansion of right-of-way.
2. When the action of waterways that forms the boundaries of a lot reduce the lot area.
3. When property lines are established by a court order in order to settle a boundary dispute between adjacent property owners.

D. *Reduced Setbacks.* Setbacks for single-family dwellings and residential accessory structures that are on lots or parcels deemed nonconforming due to insufficient width may be reduced from the setbacks established by the bulk and setback tables of this Ordinance in the following manner:

- ~~1.~~ 1.—On interior lots or parcels less than one-hundred (100) feet width, the setback from one interior side lot line may be reduced to ten (10) feet and the setback from the other interior side lot line may be reduced to ten (10) percent of the width of the lot. This reduction applies to both principal and accessory structures, either of which may be used to establish which side setback may be reduced to 10-percent (10%) of the width of the lot.
2. On interior lots or parcels over one-hundred (100) feet in width, the setback from the interior side lot lines may be reduced to ten (10) feet.
- ~~3.~~ 2.— On corner lots, the setback from the interior side lot line may be reduced to ten (10) feet and the setback from the corner side lot line may be reduced to twenty (20) feet.

(Ord. O-201410-10-035, passed 10-14-2014; Ord. O-201601-ZBA-006, passed 1-19-2016; Ord. O-201603-ZBA-010, passed 3-17-2016, § 20.5; Ord. O-201803-ZBA-10-08, passed 3-19-2018; Ord. O-201808-10-033, passed 8-21-2018)

OUTDOOR STORAGE

16.56.050.K.2.b & c

2. *Outdoor Storage.* This section governs Outdoor Storage as an accessory use. Outdoor Storage as the principal use of the property is governed by § 16.56.030QQ. (Storage Yard). The storage of agricultural equipment and materials on properties used for agricultural purposes are not subject to these restrictions. The storage of construction equipment and materials on properties under active construction are not subject to these restrictions.

a. The following uses are permitted accessory outdoor storage: agricultural implement sales and service; asphalt/concrete batch facility; auction house; auto dealership; auto rental; earth extraction/mining; feed, tack, grain, and seed sales; freight terminal; garden center; greenhouse business; heavy retail sales and service; light industrial; heavy industrial; landscape business with outdoor storage; landscape waste composting facility; lumber yard; marina; nursery; offsite services business; recreational vehicle sales; recycling collection or processing facility; residential; restricted landing area; retail goods establishment; salvage yard; sawmill; waste transfer facility; wholesale establishment; or oil, gas, or water well - commercial.

b. In all zoning districts Outdoor storage, other than commercial vehicle storage and recreational vehicle storage on properties used for residential purposeuses (see subsection K.2.c.-d. below), shall meet the following provisions, unless otherwise regulated or prohibited by this Ordinance or the McHenry County Public Health Ordinance:

(1) Outdoor storage does not include manufacturing, assembly, repair work, or other commercial activity. Such activity may only take place inside an enclosed building that meets applicable building codes.

(2) No outdoor storage shall be located in an effective street yard. Outdoor storage must be reasonably screened from view off the property by any combination of buildings, solid fencing, or solid landscaping. The fencing or landscaping shall have a minimum height of six (6) feet at time of installation. Storage is prohibited outside the screened area.

(3) All materials stored shall be related to a permitted use of the property.

(4) No required parking area can be used as outdoor storage.

c. Outdoor storage of commercial vehicles on property used for residential purposes is allowed, subject to the following:

(1) No more than two (2) commercial vehicle, with or without a hitched trailer, may be parked or stored outdoors on the property. Unhitched commercial trailers ~~are prohibited.~~ will be counted as a commercial vehicle

(2) No commercial vehicle may be occupied or used for human habitation.

(3) Additional commercial vehicles, trailers, and equipment may be stored inside of a permitted and enclosed accessory building or inside an agricultural exempt structure, subject to subsection I.1. above regarding home occupations.

PARKING

§ 16.64.080 REQUIRED OFF-STREET VEHICLE PARKING.

A. The minimum number of off-street parking spaces to be provided for the designated uses is as follows in Table 16.64-1: Required Off-Street Parking. Table 16.64-1 lists parking requirements for the uses listed within the districts. In some cases, uses that are considered part of a generic use category are listed with specific parking requirements. These specific uses are listed only for the purposes of this section and do not indicate whether such uses are permitted or conditional uses within any district. Any use not listed within Table 16.64-1 will have a parking requirement of one (1) space per five hundred (500) square feet of gross floor area.

B. In any parking lot of twenty (20) or more spaces, one (1) space designed, reserved, and designated for a motorcycle shall be provided for each twenty (20) automobile spaces up to a maximum of five (5) motorcycle spaces. Motorcycle parking spaces shall have minimum dimensions of four (4) feet by seven (7) feet and do not count as parking spaces for the purpose of this Ordinance.

C. Parking for multi-tenant shopping or strip centers is calculated as three (3) spaces per one thousand (1,000) square feet of gross floor area, rather than by the individual uses.

TABLE 16.64-1: REQUIRED OFF-STREET PARKING <i>sf = square feet // GFA = gross floor area</i>	
USE	PARKING REQUIREMENT
Ancillary Dwelling Unit	1 per dwelling unit
Adult Use	1 per 250sf GFA
Agricultural Employee Housing	1 per dwelling unit
Agricultural Implement Sales and Service	1 per 500sf GFA - including outdoor sales and display
<u>Agriculture</u>	<u>No Minimum</u>
<u>Agriculture Produce Processing</u>	<u>No Minimum</u>
<u>Agritourism</u>	<u>1 per employee</u>
Airport, Commercial/Reliever	1 per 1,000sf GFA of terminal building
Alcoholic Beverages - Package Sales	1 per 250sf GFA
Alcoholic Beverages - Consumption On-Premises	1 per 50sf GFA
<u>Amphitheater</u>	<u>1 per 3 persons based on maximum capacity</u>
Amusement Facility, Indoor	1 per 3 persons based on maximum capacity
Amusement Facility, Outdoor	1 per 3 persons based on maximum capacity
Amusement Park	1 per 3 persons based on maximum capacity
Animal Care Shelter	1.5 per exam room + 1 per 100sf of waiting area
Arena	1 per 3 persons based on maximum capacity
Art Gallery	1 per 500sf GFA

Arts Studio	1 per 250sf of studio/classroom area
Asphalt/Concrete Batch Facility	1 per 500sf GFA - indoor space only
Athletic Facility, Indoor/Outdoor	1 per 250sf GFA
Auction House	1 per 500sf GFA
Auto Dealership	1 per 500sf GFA - excluding outdoor display areas
Auto Rental	1 per 500sf GFA - excluding outdoor and indoor vehicle storage areas
Auto Repair, Major/Minor	5 per service bay
Bed and Breakfast	2 + 1 per guestroom
Boarding House	1 per housekeeping unit, or, 1 per 2 adult residents, whichever is greater
Broadcasting Studio	1 per 2 employees on maximum shift
Campground	2 per campsite
<u>Cannabis Craft Grower</u>	<u>No Minimum</u>
<u>Cannabis Cultivation Center</u>	<u>No Minimum</u>
<u>Cannabis Dispensary</u>	<u>1 per 200sf of GFA</u>
Car Wash	4 per bay
Cemetery	1 per 4 seats in chapel + 1 per 500sf of office space
Club/Lodge	1 per 3 persons based on maximum occupancy
Community Center	1 per 500sf GFA
<u>Conservation Area</u>	<u>No Minimum</u>
Country Club	Cumulative - determined by sum of requirements for individual uses (golf course, driving range, restaurant, etc.)
Crematorium	1 per 250sf of office space
Cultural Facility	1 per 500sf GFA
Currency Exchange	1 per 250sf GFA
Day Camp	1 per 250sf of meeting hall
Day Care Center	1 per 500sf
<u>Day Care Home</u>	<u>1 per 2 staff members that do not reside onsite</u>
<u>Drive-in Theater</u>	<u>No Minimum</u>
<u>Dwelling, Ancillary</u>	<u>1 per dwelling unit</u>
Dwelling, Above-the-Ground-Floor <u>Mixed Use</u>	2 per dwelling unit
Dwelling, Multifamily	2 per dwelling unit + 1 space per 3 dwelling units
Dwelling, Single Family	2 per dwelling unit

Dwelling, Two-Family	2 per dwelling unit
<u>Earth Extraction Mining</u>	<u>No Minimum</u>
Educational Facility: College/University	5 per classroom + 1 per 5 students based on max. enrollment
Educational Facility: Elementary	4 per classroom
Educational Facility: High School	4 per classroom + 1 per 5 students based on max. enrollment
Educational Facility: Technical	5 per classroom + 2 per 5 students based on max. enrollment
<u>Exotic Animal Breeding & Training</u>	<u>1 per 2 staff members that do not reside onsite</u>
<u>Fairgrounds</u>	<u>No Minimum</u>
<u>Farm Chemical & Fertilizer Sales</u>	<u>No Minimum</u>
<u>Farmers Market</u>	<u>1 per vendor</u>
<u>Farmstand</u>	<u>No Minimum</u>
<u>Farrier</u>	<u>1 per 2 staff members that do not reside onsite</u>
Feed, Tack, Grain, and Seed Sales	1 per 500sf GFA - including outdoor sales and display
Financial Institution	1 per 200sf GFA + 5 stacking spaces per drive-through lane
<u>Flea Market</u>	<u>1 per vendor</u>
<u>Food Processing</u>	<u>1 per 500sf GFA – indoor space only</u>
<u>Flour, Feed, and Grain Milling</u>	<u>1 per 500sf GFA - indoor space only</u>
Freight Terminal	1 per 500sf of indoor space + 1 per 10,000sf of terminal space
Funeral Home	1 per 4 seats in chapel + 1 per 500sf of office space
Garden Center	1 per 250sf GFA - including outdoor sales and display
Gas Station	1 per pump + 1 per 500sf of accessory retail area
Golf Course/Driving Range - Commercial	2 per tee (driving range) + 3 per hole (golf course)
Government Facility	1 per 250sf GFA
Greenhouse Business	1 per 500sf GFA - indoor space only
<u>Grain Elevator, Commercial</u>	<u>1 per 500sf GFA – indoor space only</u>
Group Home	1 per 2 residents (including live-in care providers/staff)
<u>Halfway House</u>	<u>1 per 2 occupants</u>
Heavy Retail Sales and Service	1 per 500sf GFA
Heliport	1 per 1,000sf GFA of terminal building
<u>Homeless/Domestic Violence Shelter</u>	<u>1 per 2 employees on maximum shift plus .5 per</u>

	<u>bed</u>
<u>Horse Arena</u>	<u>No Minimum</u>
<u>Horse Racing Spectator Sport</u>	<u>1 per 3 persons based on maximum capacity</u>
<u>Horse Stable</u>	<u>No Minimum</u>
Hospital	3 per bed
Hotel/Motel	1 per room + 2 per 3 employees
<u>Household Hazardous Waste Collection</u>	<u>1 per 500sf GFA - indoor space only + 10 spaces if customer drop-off included</u>
Industrial, Heavy	1 per 500sf GFA - indoor space only
Industrial, Light	1 per 500sf GFA - indoor space only
Kennel, Commercial	1 per 5 animals, based on capacity
Laboratory	1 per 250sf GFA
<u>Landing Area Restricted</u>	<u>No Minimum</u>
Landscape Business	1 per 250sf of office space
Landscape Waste Composting Facility	1 per 500sf GFA - indoor space only
<u>Lumber yard</u>	<u>1 per 500sf GFA – indoor space only</u>
Marina	1 per 2 slips
Massage Therapist Center	2 per therapist room
<u>Meat Packing Plant</u>	<u>1 per 500sf GFA – indoor space only</u>
Medical/Dental Clinic	3 per exam room
Mini-Warehouse	1 per 25 storage units
Mobile Home Park	1 per home site
Nursery - Commercial	1 per 500sf GFA - indoor space only
<u>Off Premise Commercial Advertising Sign</u>	<u>No Minimum</u>
Office	3 per 1,000sf GFA
Offsite Services Business	1 per 500sf GFA
<u>Outdoor Shooting Range</u>	<u>3 per stall</u>
<u>Park</u>	<u>No Minimum</u>
<u>Parking Lot</u>	<u>No Minimum</u>
<u>Parking Structure</u>	<u>No Minimum</u>
Passenger Terminal	1 per 500sf of terminal space
Pawn Shop	1 per 250sf GFA
Personal Service Establishment	1 per 200sf of public use area
Place of Worship	1 per 3 seats
Pollution Control Facility	1 per 500sf GFA - indoor space only
<u>Poultry & Small Animal Processing</u>	<u>1 per 500sf GFA – indoor space only</u>
<u>Power Production</u>	<u>No Minimum</u>

Printing Establishment	1 per 500sf GFA - indoor space only
Public Safety Facility	1 per 250sf GFA - excluding vehicle storage areas
Public Safety Training Facility	1 per 250sf of office space
Reception Facility	1 per 4 persons based on maximum capacity
Recreational Vehicle Sales	1 per 250sf GFA - excluding outdoor display areas
Recycling Collection Center	1 per 500sf GFA - indoor space only + 10 spaces if customer drop-off included
Recycling Processing Facility	1 per 500sf GFA - indoor space only + 10 spaces if customer drop-off included
Residential Care Facility	1 per 2 employees on maximum shift plus the following based on facilities: <i>Independent Living: 1 per <u>dwelling-unit bed</u></i> <i>Assisted Living: .5 per <u>dwelling-unit bed</u></i> <i>Nursing Care: .25 per bed</i>
Resort	Cumulative - determined by sum of requirements for individual uses (hotel, golf course, driving range, restaurant, etc.)
Restaurant	1 per 50sf of dining/ordering area
Retail Goods Establishment	1 per 200sf of GFA
Salvage Yard	1 per 500sf GFA - indoor space only
Sawmill	1 per 500sf GFA - indoor space only
Sawmill, Product Sales	1 per 500sf GFA - indoor space only
Shooting Range, indoor/outdoor	3 per stall
Slaughterhouse	1 per 500sf GFA - indoor space only
Storage Yard	1 per 250sf GFA - indoor space only
Tower	No Minimum
Vacation Rental	1 per unit
Veterinary Clinic (Small or Large Animal)	3 per exam room
Warehouse	1 per 20,000sf of warehouse space + 1 per 250sf of office space
Waste Transfer Facility	1 per 500sf GFA - indoor space only
Well, oil, gas, and water commercial	No Minimum
Wholesale Establishment	1 per 20,000sf of warehouse space + 1 per 250sf of office space
Wind Energy	No Minimum
Winery/Brewery/Distillery, Accessory or Standalone	1 per 60sf of tasting room/restaurant and retail area
Wrecking Yard	1 per 500sf GFA - indoor space only

Zoo	1 per 2,000sf GFA
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16.52.040.C – TABLE 16.52-1

C. *LN Overlay District Supplemental Standards.* LN Overlay District supplemental standards are a set of allowances and flexibilities affecting standards for development, the rules for nonconforming structures, and the rules for accessory structures. Owners of eligible lots or parcels (see § 16.52.040B.) may either follow the LN Overlay District supplemental standards or the standards established by the base zoning district regarding construction, alteration, or rehabilitation of structures. The two sets of development standards cannot be used in combination.

1. *Supplemental Standards for All Structures.* Existing structures which were lawfully constructed, or which qualify as a nonconforming structure per § 16.80.040A., may be replaced, altered, or rehabilitated so long as the new structure does not exceed the footprint, height, and setbacks of the existing structure, when such development does not comply with Table 16.52-1: LN Overlay District Bulk and Setback Regulations.

2. *Supplemental Standards for Principal Structures.* Principal structures may be rehabilitated, replaced, altered, or expanded so long as such development complies with Table 16.52-1: LN Overlay District Bulk and Setback Regulations.

TABLE 16.52-1: LN OVERLAY DISTRICT BULK & SETBACK REGULATIONS		
	Principal Structures	Accessory Structures
BULK REGULATIONS		
Maximum Building Height	35'	See § 16.52.040C.3.a.
Maximum Building Coverage ¹	30%	
Maximum Impervious Surface	50%	
SETBACK REGULATIONS – All measurements are to the closest point of the structure.		
Minimum Street Setback	See § 15.60.010C.1.a.	See § 16.52.040C.3.b.
Minimum Corner Side Setback	20'	See § 16.52.040C.3.b.
Minimum Interior Side Setback	5'	5'
Minimum Waterfront Side Setback ²	0'	0'
Minimum Combined Side Setback	Lesser of 15' or 30% of lot width	n/a
Minimum Rear Setback	10'	5'
Minimum Waterfront Rear Setback ²	0'	0'
Minimum Space Between Buildings At Side/Rear Lot Line ³	10'	7'
Flag Lot/Parcel or Land-Locked Lot/Parcel Perimeter Setback ⁴	10'	5'
¹ Calculated by excluding all lot area in floodway. ² Subject to 15.1.C.3.a ³ As measured from building wall. ⁴ For a flag or a land-locked lot or parcel, the setback is measured at perimeter of the main		

building site and excludes the narrow corridor access strip or any access easement.

SCHOOL IMPACT FEE

§ 16.60.060 RESERVED SCHOOL LAND DONATIONS OR CASH CONTRIBUTION IN LIEU OF DONATION.

~~—A. *General Requirement.* As a condition of approval of a final plat or of a planned development, each developer may be required to donate land for school purposes to serve the immediate and future needs of the residents of the development, or required to make a cash contribution in lieu of actual land donation, or a combination of both, at the option of the County with the concurrence of the affected school district(s). The County will notify the affected school district(s) of their options at the time of filing of a preliminary plat. The school district's concurrence shall be obtained in writing. However, the County has the final decision making power in this regard. The donations and cash contributions required shall be made in accordance with the criteria and formulas of this section.~~

~~—Where a land donation or a cash contribution in lieu of land donation has not been provided at the time of approval of the subdivision or of a planned development and on other lands not subdivided, the County retains the right to require a land donation or a cash contribution in lieu of land donation at the time of issuance of a residential building permit. The cash contribution shall be made in accordance with the criteria and formulas of this section.~~

~~—B. *Criteria for Requiring School Site Donations.*~~

~~—1. *Requirement and Population Ratio.*~~

~~—a. The ultimate number of students to be generated by development bears directly on the amount of land required for school site donation. The first step in determining the school land donation requirement is to determine the number of students to be generated for each school classification by the development. The Illinois School Consulting Service/Associated Municipal Consultants, Inc., Naperville, Illinois table of estimated ultimate population per dwelling unit, as updated from time to time, is indicative of current and short range projected trends in family size for new construction and shall be used in calculating the amount of land donation or the cash contributions in lieu of land donation, unless a written objection is filed.~~

~~—b. A bedroom, as used in this section, includes any room which may be used for bedroom purposes, such as a den, study, loft, or extra room located on any floor in a dwelling unit, which contains a bedroom style closet, is minimum of seventy (70) square feet, and is not clearly identified for some other specific purpose such as a kitchen (one (1) per unit), dining room (one (1) per unit), living room (one (1) per unit), bathroom(s), or family room (one (1) per unit).~~

~~—c. When the school land donation is to occur at the time of subdivision, the developer shall submit to the County and to the affected school district(s) at the time of preliminary plat submittal a table specifying the number of dwelling units by type (single-family detached, single-family attached, and multifamily) and number of bedrooms to be~~

included in the ultimate buildout of the subdivision. The County and the affected school district(s) shall concur regarding the number and types of homes to be constructed. However, the County has the final decision making power in this regard. This information shall form the basis for determining the number of students to be generated by the development.

— d. — When the fee in lieu of land donation is to occur at the time of building permit, the County shall utilize the building permit application to determine the type of home and number of bedrooms as a basis for determining the number of students to be generated by the development.

— e. — ~~Table 16.60-3: Estimated Students Per Dwelling Unit~~ is based on 1996 data provided by the Illinois School Consulting Service, a division of Associated Municipal Consultants, Inc. The County recognizes that the table of estimated students per dwelling unit may be updated and will adopt these updates periodically by amending the ordinance accordingly. This table shall be used to calculate the number of students to be generated by dwelling unit by type and number of bedrooms, unless a written objection is filed.

TABLE 16.60-3: ESTIMATED STUDENTS PER DWELLING UNIT					
Type of Unit	Elementary School		Junior High School		High School
	Grades K-5	Grades K-6	Grades 6-8	Grades 7-8	Grades 9-12
	5-10 Years Old	5-11 Years Old	11-13 Years Old	12-13 Years Old	14-17 Years Old
Detached Single-Family					
2-Bedroom	0.136	0.143	0.048	0.041	0.020
3-Bedroom	0.369	0.422	0.173	0.120	0.184
4-Bedroom	0.530	0.644	0.298	0.184	0.360
5-Bedroom	0.345	0.461	0.248	0.132	0.300
Attached Single-Family					
1-Bedroom	0	0	0	0	0
2-Bedroom	0.088	0.106	0.48	0.030	0.038
3-Bedroom	0.234	0.227	0.056	0.065	0.056
4-Bedroom	0.322	0.370	0.154	0.106	0.173
Multifamily					
Efficiency	0	0	0	0	0
1-Bedroom	0.002	0.002	0.001	0.001	0.001
2-Bedroom	0.086	0.100	0.042	0.028	0.046
3-Bedroom	0.234	0.278	0.123	0.079	0.118

— 2. — ~~School Classifications and Size of School Site.~~

— a. — The second step in determining the school land donation requirement is to determine the number of acres of school land for each school classification needed to accommodate the students that will be generated by the development. The requirements for acreage are based upon a review of available data studies and literature on the subject and the unique characteristics of McHenry County, including its generally rural character and open spaces, and the desire of the residents to maintain

~~this character and open space in future school sites. These requirements for acreage are presumed to be the appropriate acreage requirements and used in calculating the amount of land donation or the cash contributions in lieu of land donation, unless a written objection is filed. School classifications and size of school sites within the County are determined according to the criteria in Table 16.60-4: School Site Acreage Requirements.~~

<i>TABLE 16.60-4: SCHOOL SITE ACREAGE REQUIREMENTS</i>		
<i>School Classification by Grades</i>	<i>Maximum Number of Students for Each School Classification</i>	<i>Appropriate Number of Acres of Land for Each School Site of Such Classification</i>
Elementary Schools, Grades kindergarten through 5th or 6th	450 students	20 acres
Junior high schools, grades 6th through 8th or 7th and 8th	600 students	30 acres
High schools, grades 9th through 12th	1,500 students	55 acres

~~— 3. *Land Donation Acreage.* The land donation acreage is determined by obtaining the number of students generated by the development for each school classification and multiplying that number by the ratio of the number of acres required for each school classification divided by the maximum number of students for each school classification.~~

~~— C. *School Site Requirements.*~~

~~— 1. *Land Donation at Preliminary Plat Stage.* If the school district(s) have indicated that they want a school land donation, the school site(s) shall be shown on the preliminary plat with calculations showing the amount of land required to be dedicated for school sites in accordance with the requirements of this section. The subdivider shall also furnish a copy of the proposed preliminary plat to each school district in which the proposed subdivision is located and the school district will have thirty (30) days to submit its report to the Staff Plat Review Committee recommending approval or disapproval of the site shown.~~

~~— 2. *Combining with Adjoining Developments.* Where appropriate, a school site that is to be dedicated should, if possible, be combined with donations from adjoining developments in order to produce a usable school site without undue hardship on a particular developer.~~

~~— 3. *Topography and Grading of Dedicated Sites.* The slope, topography, and geology of the dedicated site, as well as its surroundings, shall be suitable as a school site. Wetlands, flood plains, detention areas, retention areas, and areas of steep slope are not acceptable as school sites and do not serve as a credit toward the required school site or cash contribution in lieu of land donation. To the greatest extent possible, the developer shall leave the school donation site undisturbed to provide the school district with flexibility in the design of septic disposal and stormwater facilities. If the site is disturbed, the developer shall stabilize the site consistent with the Stormwater Management Ordinance.~~

~~— 4. *Improved Sites.* The developer shall provide all off-site infrastructure, including~~

~~electricity, telephone, streets (including enclosed drainage and curb and gutter if the same is or will be installed on adjoining lots) and, when available, natural gas, electronic communication, water, and sewer. Other than the site stabilization required above, any landscaping normally required by this Ordinance need not be installed. The site shall have direct access to a fully improved street across at least twenty percent (20%) of the distance of its perimeter. At least two (2) access points shall be provided for a school site.~~

~~—5. *Environmental Risk Audit.* Prior to the conveyance of any land to a school district, the developer, at their own expense, shall furnish the district with an environmental risk audit prepared by an environmental professional meeting the minimum requirements of the Environmental Protection Act (415 ILCS 5/22.2(j)(6)(E)(iii)), certified to and acceptable to the district, assuring that there are no hazardous substance(s) (on, under, to or from the land. The school district has the right to reject any site that the school district determines, in accordance with sound engineering practice, is not suitable for school site purposes.~~

~~—Prior to the conveyance of the land, the developer and the owner of the land to be conveyed shall execute and deliver to the intended grantee an Environmental Indemnification Agreement, the form of which has been approved by the County State's Attorney, agreeing to defend, indemnify, and hold the County, its corporate authorities, officers, officials, employees, agents, and successors and assigns, and the school district, as the case may be, and its respective officers, officials, employees, agents, and successors and assigns harmless from and against any and all liability, claims, damages, causes of action, and expenses arising out of the presence of any hazardous substance(s) in, under or upon said land to be conveyed prior to the date of conveyance.~~

~~—6. *Suitability of Soils at Site.* The developer, at their own expense, shall provide the school district with soil boring data, soil compaction test results, and such other engineering studies, data and information pertaining to the proposed school site, which the school district may request to enable it to determine the suitability of the proposed land donation for school site purposes. The school district has the right to reject any site that the school district determines, in accordance with sound engineering practices, is not suitable for school site purposes.~~

~~—7. *Title Insurance, Survey, and Assessment Plats.* Each deed or other instrument conveying land to the school district shall be accompanied by:~~

~~—a. A written commitment issued by a title insurer licensed to do business in the state to insure the title to such real estate in an amount equal to the value, with extended coverage over the general exceptions to title and subject only to:~~

~~—(1) Real estate taxes not yet due and payable.~~

~~—(2) Covenants, conditions, and restrictions that do not prohibit the use of the subject property for school use.~~

~~—(3) Utility easements located within twenty (20) feet of the boundary lines of the subject real estate, except where approved on the final engineering plans approved by the County.~~

~~—(4) Drainage ditches, feeders, and laterals.~~

~~—(5) Underground pipe or other conduit to the site.~~

~~—b. A current ALTA (American Land Title Association) boundary line survey,~~

~~certified to the grantee by an Illinois licensed professional land surveyor to be in compliance with the American Land Survey Standards, showing no encroachments.~~

~~— c. Except in instances where the real estate is to be conveyed is a lot in a recorded subdivision, an assessment plat and tax division petition in a form acceptable to the appropriate County authorities so the land to be conveyed can be assigned its own permanent real estate index number (PIN) for exemption purposes.~~

~~— In addition, monuments shall be established and the land staked immediately prior to donation of the property. The subdivider shall pay for the cost of the owner's title insurance, the ALTA survey, the assessment plat and any and all costs in connection with the tax division.~~

~~— 8. *Real Estate Tax Escrow.* The developer shall pay the general real estate taxes on the land not yet due and payable as of the date of transfer, and deposit a sum of money in escrow with the intended district's attorney or a title company licensed to do business in the State of Illinois, which is prorated as of the date of transfer on the basis of one hundred ten percent (110%) of the tax assessor's latest assessed valuation, the latest known equalization factors, and the latest known tax rate on the land. In the event the previous tax information or the previous tax bill includes other property, then the amount to be deposited in escrow will be adjusted ratably based on the net acreage of the land compared to the net acreage of the other parcels covered by said tax bills. After the land has been divided for real estate tax purposes and has been conveyed to the intended grantee, the district may proceed with due diligence to apply for a real estate tax exemption on the land.~~

~~— D. *Cash Contribution in Lieu of Land Donation.*~~

~~— 1. *General Requirements.*~~

~~— a. When the development is small and the resulting site is too small to be practical, or when the available land is inappropriate for a school site or is in conflict with the standards or plan of the affected school district(s), the County, with the concurrence of the affected district(s), requires the developer to pay a cash contribution in lieu of the land donation.~~

~~— b. The cash contribution in lieu of land donation, and any and all interest earned thereon, is collected and held in trust by the school district to be used for the purposes set forth in this section. These purposes include the acquisition of land for school sites to serve the immediate or future needs of children from that subdivision or development, or for the improvement to any existing school site that already serves such needs, which includes school buildings or other infrastructure necessitated and specifically and uniquely attributable to the development or subdivision in question. If any portion of a cash contribution in lieu of land donation is not expended for these purposes within ten (10) years from the date of receipt, it will be refunded by the entity holding the contribution to the record owner of the land at the time of the refund. If there is more than one (1) record owner of the land or of the land that comprises the development, as applicable, such record owners will share in the refund pro-rata based on the cash contributions originally paid by each property.~~

~~— 2. *Contributions Based on Fair Market Value.*~~

~~— a. The cash contributions in lieu of land shall be based on the fair market value of the acres of land in the area that otherwise would have been dedicated as school sites. The fair market value, on a per acre basis, shall assume that the land is zoned as a~~

residential zoning district for approximately one acre lots, subdivided with appropriate frontage on a dedicated street or road, has all appropriate utilities available, and is otherwise property capable of being used for residential development.

~~— b. Fair market value will be established through an annual market analysis conducted by the chief county assessment officer (to be used solely for the purposes of this Chapter) and approved by the Planning and Development Committee. The market analysis is to be completed by March 1 each year and shall remain in effect until an updated assessment is approved by the Planning and Development Committee. The market analysis will include only market data and sales from unincorporated areas of McHenry County. The fair market value thus calculated is presumed to be the appropriate value for use in calculating the cash contributions in lieu of land donation, unless a written objection is filed.~~

~~— 3. *Criteria for Requiring Combination of Land Donation and Cash Contribution.* There will be situations in subdivisions or planned developments when a combination of land donation and a cash contribution in lieu of land are both necessary. These occasions arise when only a portion of the land required to be dedicated as a school site lies within the school site determined by the school district (that portion of the land within the subdivision falling within the school location to be dedicated as a site as described above with a cash contribution in lieu of required for any additional land that would have been required), or when a major part of the local school site has already been acquired by the particular district and only a small portion of land is needed from the development to complete the site (the remaining portion required by donation with a cash contribution in lieu of for the rest of the required land).~~

~~— E. *Time of Payment.* All land donations are due upon final plat approval. Cash contributions are due at the time of building permit issuance. The recorded final plat shall include a statement signed by the responsible school official indicating that a school land donation has (or has not) been received by the school district and indicating that a cash contribution in lieu of donation is (or is not) due to the school district at the time of the issuance of individual building permits.~~

~~— F. *Calculation of Cash Contributions.* In calculating any cash contributions in lieu of land donation payable at the time of issuance of building permit as provided in this section, the County will use the fair market value as in effect at the time of building permit issuance.~~

~~— G. *Indemnification.* The school district shall execute an indemnification agreement in the form set forth in Appendix A (Required Certificates and Forms). This agreement shall be executed on or before June 1 of each year. Following execution of this agreement by the school district, this indemnification agreement shall be furnished to the County. In the event the school district fails to execute and/or furnish the executed agreement as required in this section, the County reserves the right to not require the developer to make any land donations or cash contributions in lieu of land donations to the school district.~~

~~— H. *School Facilities Needs Assessment.*~~

~~— 1. There will be situations where a school district has conducted a needs assessment which indicates that the school district requires a greater school land donation or fee in lieu of school land donations in order to obtain the land and provide the facilities required to maintain its current educational environment based on its~~

~~specific needs and standards. Such school districts may submit their needs assessment to the County along with a request that the County require school land donation, or fees in lieu of school land donation, based on the schools unique needs assessment. The County shall utilize its discretion in determining if it will or will not require an additional school land donation, or fees in lieu of donation, based on the school district's needs assessment.~~

~~—2. In order to be considered by the County for the purpose of requiring additional school land donation or fee in lieu of school land donations, the school district needs assessment shall contain the following information for the district:~~

~~— a. A description of the nature and location of school lands, buildings, and facilities owned or operated by the district within the previous five (5) years.~~

~~— b. An identification of the capacity of each school building and facility and a historic trend analysis of the number of students enrolled in each school building and facility for a minimum of five (5) years.~~

~~— c. A projection of the character and location of new development that is expected to occur within the district during the succeeding five-year (5-year) period.~~

~~— d. An identification of the amount of school lands that will be necessary to accommodate the demands of such projected new development, and an estimate of the public grounds acquisition costs that will be incurred or have been incurred by each district in acquiring such lands.~~

~~— e. A description of each school building and facility, including any special education or program areas that will be necessary in order to provide school capacity for the projected new development. The provision of facilities shall consider the provision of new facilities, the expansion or enhancement of existing facilities, and any related land improvements.~~

~~— f. An estimate of the capital facilities costs that will be incurred by the district in constructing such capital facilities, including, but not limited to, design, engineering, other professional services, and construction costs.~~

~~— g. A schedule for the acquisition of such lands and the provision of such facilities to meet the projected need, which may be conditioned upon the availability of financing.~~

~~— h. The needs analysis report shall provide the data necessary for the County to understand the school districts assumptions regarding:~~

~~— (1) The number of projected housing units by type and number of bedrooms.~~

~~— (2) The number of students to be generated by school type per housing unit.~~

~~— (3) The acres and number of students per school facility.~~

~~— (4) The land cost per acre for school site acquisition.~~

~~— This data is required in order for the County to evaluate the school districts needs assessment to determine its use in requiring school land donation or fees in lieu of school land donation.~~

~~—3. *Effective Period.* The School Facilities Needs Assessment shall be effective for one year from the date of approval by the County. During the effective period the County will require that school land donations or fees in lieu of school land donations be paid to the school district as established in the School Facilities Needs Assessment. Following the effective period the County will require that school land donations or fees in lieu of school land donations be provided in accordance with the County formula, unless the school district submits a new assessment for County approval.~~

~~—1. *Objections.* All objections relating to acreage requirements, presumptions as to fair market value, the table of estimated students per dwelling unit or any other application of this section to a particular subdivision or planned development, shall first be referred to the Planning and Development Committee for a hearing. Any objection shall be made prior to the approval of the final plat of subdivision by the County. A failure to object by such time constitutes a waiver of the right to object to the provisions of this section.~~

~~—The objecting subdivider must submit demographic and/or economic studies supporting their position regarding students per dwelling unit, the size of the school site, the fair market value of the land used to calculate the cash contribution, or any other application of this section to a particular subdivision or planned development.~~

~~—The procedure for a hearing before the Planning and Development Committee will be conducted as follows:~~

~~—1. *Planning and Development Committee.* The Planning and Development Committee serves in an advisory capacity and advises and assists the County Board in resolving objections regarding the table of estimated students per dwelling unit, the size of the school site, the fair market value of the land used to calculate the cash contribution, or any other application of this section to a particular subdivision or planned development.~~

~~—2. *Information and Services to Be Used.* The County and, if applicable, the school district will make available to the Planning and Development Committee all professional reports relating to the table of estimated ultimate population per dwelling unit, the size of the school site and the fair market value of land used in calculating the cash contribution. The Planning and Development Committee may also retain the services of professionals (attorneys, appraisers, statisticians, etc.) to assist in its review of issues raised by any objection.~~

~~—3. *Procedure.*~~

~~—a. Upon receipt of an objection, the County Administrator will place the same on the next regular meeting agenda of the County Board. The County Board will refer the objection to the Planning and Development Committee and, by resolution, establish a hearing date.~~

~~—b. The Planning and Development Committee will provide public notice of the hearing date to consider the objection and notify the affected school district(s) by certified mail, return receipt requested, of the filing of the objection, and of any hearing regarding same.~~

~~—c. The objector, at his or her own expense, will publish notice of the hearing date at least thirty (30) days but no more than sixty (60) days before the scheduled date of the hearing. Notice shall be published in a newspaper of general circulation within the corporate limits of the County and the school district(s) affected. The notice of public hearing shall not appear in the part of the paper where legal notices or classified ads appear and no smaller than one-quarter ($\frac{1}{4}$) page of a standard size or tabloid-size newspaper. The objector shall send a copy of said notice to any person who has requested notice by certified mail (stamped at a US Postal Service facility showing the date of mailing) at least thirty (30) days prior to the hearing date. The notice shall contain all of the following information:~~

~~—(1) The headline shall read: "Notice of public hearing on objection to application of ordinance requiring the donation of school sites or payment of the cash contributions~~

in lieu thereof”.

~~—— (2) The date, time, and location of the public hearing.~~

~~—— (3) A statement that the purpose of the hearing is to consider the objection to a component of the application of the Ordinance requiring the donation of school sites or calculation of cash in lieu thereof.~~

~~—— (4) A general description of the parcel(s), service area or areas within the County that are the subject of the hearing.~~

~~—— (5) A statement that the County will make available to the public, upon request, an easily understandable and detailed map of the parcel(s), service area or areas to which the ordinance applies, and any other available information about the objection.~~

~~—— (6) A statement that any member of the public affected by the ordinance or the parcel(s) or service area has the right to appear at the public hearing and present testimony and/or evidence in support of or against the objection.~~

~~—— d. A public hearing will be held for the consideration of the objection. The affected school district is allowed to participate in such hearing as a party thereto to present evidence, cross-examine witnesses, and make arguments to the Planning and Development Committee regarding the issues raised in the objection. The Planning and Development Committee will make a recommendation to adopt, reject in whole or in part, or modify the objection presented at the hearing, by written report to the County, within sixty (60) days after the hearing. The County Board then has at least sixty (60) but no more than one hundred twenty (120) days to approve, disapprove or modify, by ordinance or resolution, the findings in this section as it pertains to the development in question.~~

~~—— J. *Refund Requests.*~~

~~—— 1. *General Requirements.* All petitions for refunds relating to fees in lieu of school land donations imposed pursuant to this section shall be submitted to the Zoning Enforcement Officer in writing. Failure to file refund petition within two (2) year of payment constitutes waiver of right to refund and will result in the summary denial of same.~~

~~—— 2. *Procedure.*~~

~~—— a. Requests for refund shall state the factual basis or circumstances for the refund.~~

~~—— b. Upon receipt of a refund petition, the Zoning Enforcement Officer will issue notices to the petitioner and the affected school district regarding the deadlines for additional written submittals.~~

~~—— c. The school district has twenty-one (21) days to provide a written submittal in response to petitioner’s refund request. A copy of the school district’s response shall be served on petitioners with proof of service via first class mail, return receipt requested.~~

~~—— d. The petitioner has fourteen (14) days from date of receipt of school district’s response to provide a reply. A copy of the reply shall be forwarded to the school district via first class mail, return receipt requested.~~

~~—— e. The Zoning Enforcement Officer will issue a written decision on the petition for a refund within twenty-one (21) days. The written decision shall contain the basis for the denial or approval, whichever is applicable.~~

~~—— f. In the event of an approval of a refund request petition, the school district shall comply with the Zoning Enforcement Officer’s decision within thirty (30) days of the~~

issuance of the order.

~~—g. Refunds shall be paid to the owner of the property as of the date of the Zoning Enforcement Officer's decision.~~

~~—K. *Appeal of Zoning Enforcement Officer's Decision.* Any person aggrieved by any decision made by the Zoning Enforcement Officer with respect to school land donation or fees in lieu of school land donation may appeal the decision to the Zoning Board of Appeals in accordance with § 16.20.090 (Zoning Appeal). Such appeal shall be filed within ninety (90) days of the decision.~~

~~(Ord. O-201410-10-035, passed 10-14-2014; Ord. O-201601-ZBA-006, passed 1-19-2016; Ord. O-201603-ZBA-010, passed 3-17-2016, § 15.6; Ord. O-201803-ZBA-10-08, passed 3-19-2018; Ord. O-201808-10-033, passed 8-21-2018)~~



MCHENRY COUNTY
ZONING BOARD OF APPEALS
MINUTES • OCTOBER 2, 2019

Zoning Hearing

Conference Room A

1:30 PM

667 Ware Rd., Woodstock, IL 60098

ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD - #2019-026TA

1. PETITIONER

McHenry County Board Planning, Environment, and Development Committee

2. REQUEST:

Amendment to the text of the McHenry County Unified Development Ordinance for the purpose of modifying regulations pertaining to various provisions.

3. DATE AND TIME OF HEARING AND VOTING MEETING

October 2, 2019 @ 1:30 PM

4. PRESENT AT HEARING:

A. ZBA Members: Richard Kelly, Jr., Linnea Kooistra, Matthew Hansel, Kurt Schnable, Vicki Gartner, David Stone, Charles Eldredge

B. Witnesses: Kim Kolner - Staff

C. Attorney: None

D. Staff: Kim Kolner

E. Public: Paul Letizia

5. ITEMS OF EVIDENCE:

None

6. SUMMARY OF TESTIMONY AT HEARING

Chairman Kelly called the meeting to order and stated that they would be reviewing proposed changes to the Unified Development Ordinance (UDO).

Kim Kolner, Zoning Enforcement Officer and Planning Manager for the Department of Planning and Development, stated that the Planning, Environment, and Development Committee requested certain clarifications to the UDO, as well as some policy changes, including ancillary dwelling units, recreational cannabis use, and the removal of school impact fees.

Ms. Kolner began with discussion on proposed changes to accessory structures. She noted that shipping containers and commercial trailers with their wheels removed could be utilized for storage and considered an accessory structure. She also noted that a clarification is proposed to indicate ancillary dwelling units are not accessory structures, but rather are considered secondary principal uses. A few other amendments were proposed with regard to the wording for accessory structure regulations, including allowance of privacy fences along the rear lot line of a through lot that abuts a regional transportation

corridor, as long as it is in line with neighboring lots. Ms. Kolner also pointed out proposed changes to the section pertaining to allowable encroachments, noting that additional encroachments would be allowed to a structure that already encroaches into the required setback.

Ms. Kolner explained that new regulations were being proposed for ancillary dwelling units. This would allow for either attached or detached ancillary dwelling units within certain limitations. She mentioned that we have had many applicants looking for ways to provide an 'in-law' arrangement in their homes or accessory structures, and this would allow for them to be permitted properly under specific regulations. Chairman Kelly questioned whether these should be considered as a conditional use request, rather than permitted by right. Other members agreed, noting that it could put a strain on the school districts and could potentially be difficult to enforce. Ms. Kolner mentioned that several other municipalities are in the process of adopting similar regulations for ancillary dwelling units. David Stone made a motion to eliminate the proposed change to Table 16.32-1, which allows ancillary dwelling units by right and to have them remain as a conditional use. There was no second, and the motion failed.

The next topic discussed was proposed cannabis regulations. Ms. Kolner explained that the State will be allowing recreational cannabis for adults 21 and up as of January 1, 2020. She went through the definitions proposed, which clarify the difference between craft growers, cultivation centers, and dispensaries. She also noted the difference between cannabis and industrial hemp, pointing out that it is based on the level of THC. Ms. Kolner stated that industrial hemp is limited to less than 0.3% of THC, is considered an agricultural crop, and is regulated under its own State requirements.

Charles Eldredge made a motion to omit the wording "limited to" from the definition for Cannabis Cultivation Center. David Stone seconded the motion. The Board voted in favor of the amendment. Ms. Kolner went over the proposed changes to the zoning district use table, outlining where cannabis operations would be allowed. Linnea Kooistra made a motion to add Cannabis Dispensary as a conditional use in the B-2 district. Mr. Stone made a motion to include B-1 in the motion. Vicki Gartner seconded the amended motion. All members, except Ms. Kooistra were in favor of including B-1 in the motion. The Board voted in favor of the motion to include Cannabis Dispensaries as a conditional use in the B-1 and B-2 districts on Table 16.32-1. Mr. Eldredge made a motion to add Cannabis Craft Grower as a conditional use in the B-1 and B-2 districts as well. Matthew Hansel seconded the motion. The motion carried.

Paul Letizia stated that he purchased a property on Route 120, previously a mini golf facility, that he intends to have craft grow and dispensary at the same location, but it is zoned A-1. Mr. Hansel made a motion to allow Cannabis Dispensary in the A-1 and A-2 districts as a conditional use. Mr. Eldredge seconded the motion. The motion carried. Vicki Gartner made a motion to remove the distance requirements between cannabis operations and residential care facilities from the standards. Ms. Kooistra seconded the motion. Chairman Kelly pointed out that it would be difficult to determine where residential care facilities are located and agreed the regulation would not make sense. The Board voted in favor of the motion.

Ms. Kolner stated that modifications were being proposed to the cell tower section of the Ordinance, in order to make it consistent with State Statute, specifically allowing more than one tower to be within a one-mile radius of each other.

With regard to nonconforming lots, Ms. Kolner stated that clarification was being proposed to allow multiple nonconforming lots to be combined into a new nonconforming lot that is more conforming. Other proposed changes to the nonconforming section of the Ordinance included minor clarifications with regard to lot width and side yard setbacks. Clarifications to the outdoor storage requirements were proposed to allow unhitched trailers to be allowed and counted towards the two allowable commercial vehicles. Ms. Kolner explained that the main objective to proposed changes to the parking table of the Ordinance was to make sure that every single use outlined in the use table is included in the parking table. Mr. Eldredge made a motion to have no minimum parking requirement for cannabis craft grow. Ms. Kooistra seconded the motion. The motion carried.

With regard to Legacy Neighborhoods, Ms. Kolner explained clarification was being made to include a statement that all measurements are to the closest point of the structure, to clear up confusion regarding encroachments.

Ms. Kolner explained that school impact fees are proposed to be struck from the Ordinance. She explained that there has been a moratorium on them for the past year, and from demographic research, the schools are not increasing population. The County does not believe there is a need for the impact fees.

Mr. Eldredge made a motion to recommend approval of the proposed text amendments, as amended. Mr. Hansel seconded the motion. The Board voted 7-0 to recommend approval.

7. MOTION

Made by Charles Eldredge, seconded by Matthew Hansel to recommend approval of the request for Amendment to the text of the McHenry County Unified Development Ordinance for the purpose of modifying regulations pertaining to various provisions.

8. VOTE

7 - AYES; 0 - NAYS; 0 - ABSTAIN

Matthew Hansel - Aye
Linnea Kooistra - Aye
David Stone - Aye
Vicki Gartner - Aye
Charles Eldredge - Aye
Kurt Schnable - Aye
Richard Kelly - Aye

GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR APPROVAL

TRANSCRIPT

1. Transcript for Text Amendments 2019-026ta

Full Comments on the above agenda items are included in the audio recording of this meeting, which can be found on the McHenry County Meeting Portal.