

CHAPTER 5

SUPPLEMENTARY REGULATIONS

9-5-1: Intent:

It is the purpose of this Chapter is to establish regulations and standards for the installation and operation of the uses specified in this Chapter based upon consideration of the objectionable characteristics of such uses and the zones in which they are permitted.

9-5-2: Industrial Regulations

9-5-2-1: Any use permitted in the I-1, I-2 or A-1*** Zoning Districts, whether such use is permitted as a principle use or as an accessory use, shall be subject to these regulations.

9-5-2-2 These regulations shall apply to any proposed use, construction, alteration or addition, including an alteration or addition to a structure existing prior to the adoption of this Title.

REQUIREMENTS

1. All uses, in I-1, I-2 or A-1*** Zoning Districts, shall conform to the Industrial Performance Standards governing the emission of noise, vibration, smoke and particulate matter, water or other effluents, toxic or noxious matter, fire, glare, heat or radiation, as cited in the “Illinois Environmental Protection Act”, 415 ILCS 5/1, et seq., and regulations promulgated thereunder, as amended from time to time.
2. Along the outer perimeter of an Industrial Zoning District adjacent to an Estate, Residential or Agricultural Zoning District, no building, structure, or land within one hundred (100) feet for the I-2 Zoning District and seventy-five (75) feet for the I-1 Zoning District shall be used in connection with the operation of any establishment including parking, except that railroad sidings or spur lines may extend over this area. This perimeter area shall be landscaped and screened according to the requirements of Section 308.
3. Screening - All activities and operation, in I-1, I-2 or A-1*** Zoning Districts, shall be within completely enclosed buildings, or may be out-of-doors if located to the rear of the lot and substantially screened from view at the frontage.

9-5-2-3: Procedure and Enforcement

1. Permit Procedure: Before the Zoning Enforcement Officer issues a Building Permit for a use in an I-1, I-2 or A-1*** Zoning District, the applicant shall furnish the Zoning Enforcement Officer, and Health Department when applicable, with the following information to enable the Zoning Enforcement Officer to assure himself that all regulations set forth in this Title can and will be complied with at all times.
 - A. A plot plan showing the location of all present and proposed structures, building setback lines, drives, parking lots, waste disposal areas, bulk storage areas, streets, water supply systems, septic systems, streams, or other significant features on or within three hundred (300) feet of the proposed site.
 - B. A description of the activity to be conducted regarding waste products and their disposal, external effects or other conditions which are regulated herein; provided, however, that the applicant shall not be required to reveal any trade secrets of sufficient detail with regard to a process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors.
 - C. Upon request of the Zoning Enforcement Officer, certification from an independent testing laboratory that the aforesaid Industrial Performance Standards can be met by the use.
 - D. Such other data and certification as may reasonably be required by the Zoning Enforcement Officer to reach a determination.
 - E. Proof that the applicant has notified the Illinois Environmental Protection Agency and the McHenry County Health Department in writing.
2. Upon receipt of all data required above, the Zoning Enforcement Officer, working in conjunction with all departments applicable, will review the data as to its compliance with the Industrial Use Regulations of this Chapter. Permits shall be denied if the plans or proposed work do not conform to the regulations set forth herein.

Denial with reasons shall be given in writing upon request and corrected plans may be returned for review. If proposed work conforms to the regulations set forth in this Chapter and all other pertinent laws and ordinances, a building permit shall be issued.

All information and evidence submitted in applications to indicate conformity to Industrial Use Regulations shall constitute a certification and an agreement on the part of the applicant that the proposed use can and shall conform to such regulations at all times.

3. Appeal: The Zoning Enforcement Officer's action with respect to the Industrial Use Regulation procedure may be appealed to the Village of Holiday Hills Zoning Board of Appeals.
4. Violations and Enforcement: The Zoning Enforcement Officer shall also report any violation of Industrial Use Regulations to the McHenry County Health Department and the Illinois Environmental Protection Agency. The Zoning Enforcement Officer shall determine if there are reasonable grounds for the same. Violators shall be ordered by the Zoning Enforcement Officer or his representative to correct any found violation within a reasonable, specified period.
5. Cancellation of Permits: If, after the conclusion of the time granted for compliance with Industrial Use Regulations, the Zoning Enforcement Officer finds the violation is still in existence, any permits previously issued by the Zoning Enforcement Officer or his representative shall be void and the operator shall be required to cease operation until the violation is remedied.

9-5-3: Home Occupations: Any occupation which is so designated in Table 1 and which is customarily, in whole or in part, conducted in a residential area is permitted provided all of the following criteria are met:

1. It is conducted entirely within the dwelling by a member of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.
2. It is not conducted from an accessory building.
3. There is no display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling, except that one (1) nameplate, no more than one and one-half (1 1/2) square feet in total area which contains only the name of the occupant of the dwelling and the home occupation conducted therein, and is not illuminated, shall be permitted.
4. No more than one (1) person other than a member of the immediate family residing in that dwelling unit shall be employed or engaged in conducted the home occupation.

5. That the number of off-street parking spaces for that use is provided as required by the Off-Street Parking Regulations of this Chapter, and in addition, if another person is employed as provided for in that paragraph above, one (1) off-street parking space shall be provided exclusively for that person's use during working hours.
6. No stock in trade shall be kept, displayed or sold on the premises unless such stock is clearly secondary and necessary to the performance of the services provided by the home occupation and at no time shall exterior storage of materials be permitted.
7. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.
8. All receipt and delivery of merchandise, goods or equipment shall be made by either carrier service or passenger automobile owned by the resident and no such receipt, delivery or any other transaction of business within the residence, except emergency service, shall be made between the hours of 10:00 p.m. and 7:00 a.m. on Monday through Saturday or any time on Sunday.

9-5-4: Horses and Other Equines: When horses or other equines are maintained on a parcel, the following regulations shall apply:

1. In the case of private stables:
 - A. Such stables are allowed by right in the A-1, A-2, E-5, E-3, E-2, E-1 [if lot area is two (2) acres or over] Zoning Districts.
 - B. The minimum lot or parcel area for a private stable shall be two (2) acres.
 - C. The minimum gross lot area per horse over eight (8) months of age shall be 14,000 square feet. However, private stables located on parcels of ten (1) or more acres shall not be subject to a minimum lot area per horse.
 - D. No more than two (2) horses not belonging to the owner of a private stable may be boarded in such private stable.
 - E. Riding lessons may be given in a limited manner at a private stable, consistent with the intent of the Zoning District.
2. In the case of horse farms and professional stables:
 - A. Such uses are allowed by right in the A-1, A-2 and E-5 [if lot area is two (2) acres or over] Zoning Districts.

- B. The minimum lot or parcel area for a horse farm or professional stable shall be two (2) acres.
 - C. The minimum gross lot area per horse over eight (8) months of age shall be 14,000 square feet per horse. However, horse farms and professional stables located on parcel of ten (10) or more acres shall not be subject to a minimum lot area per horse.
 - D. At a horse farm, any number of equines not belonging to the operator of the farm may be kept for boarding or breeding purposes, so long as the total number of horses kept does not exceed that allowable under the requirement above. In addition, riding lessons may be given in a limited manner to boarders and others. However, no horses shall be kept or made available as livery.
 - E. At professional stables and public stables, horse shows and related activities may be conducted without a temporary use permit. However, sufficient off-street parking shall be provided to meet the needs of all visitors.
3. In the case of public stables:
- A. Such stables are allowed by right in the A-1, Agricultural Zoning District.
 - B. The minimum lot or parcel area for a public stable shall be ten (10) acres.
 - C. At a public stable, any number of equines not belonging to the owner or operator may be kept for boarding purposes. In addition riding lessons may be given to boarders and others.
 - D. At public stables, horse shows and related activities may be conducted without a temporary use permit. However, sufficient off-street parking shall be provided to meet the needs of all visitors.
4. All persons maintaining equines shall meet all applicable requirements of the McHenry County Public Health Ordinance, as amended from time to time.

9-5-5: Temporary Uses

- 9-5-5-1: Intent: It is the intent of the following to govern the operation of certain transitory or seasonal uses. The Zoning Enforcement Officer, upon the receipt of an application for a temporary use permit, shall notify any other governmental agencies and jurisdictions which may be affected by the use.

9-5-5-2: Permits for Temporary Use: Applications for a temporary use permit shall be made to the Zoning Enforcement Officer at least thirty (30) days before the starting date of the Temporary Use, and shall contain the following information:

1. The commonly known address of the property to be used, rented or leased for the temporary use, legal description and permanent property index number.
2. A description of the proposed use.
3. The applicant's name and the property owner's name (if different than the applicant).
4. Sufficient information to determine the following:
 - A. Adequate provisions for waste disposal (solid and human);
 - B. Adequate provisions for temporary food service facilities;
 - C. Adequate and authorized security personnel;
 - D. Adequate paved or graded ingress and egress for emergency, policy and regulatory traffic;
 - E. Adequate general liability and dram shop insurance (based upon anticipated number of participants);
 - F. Yard requirements;
 - G. Adequate parking space;
 - H. Adequate traffic control;
 - I. Adequate provisions for clearing debris.

9-5-5-3: Said permit shall be used only if the above criteria are met to the satisfaction of the Zoning Enforcement Officer.

9-5-5-4: Specific Uses and Regulations: The following are considered special or temporary uses as specified in TABLE 1 in certain specific Zoning Districts and are subject to the following specific regulations and time limits, in addition to the regulations of any zone in which the uses are located.

1. **ANIMAL SHOWS**: A temporary use permit may be issued for showing of animals and display of their performance in both formal and informal competition. The permit shall be valid for not more than seven (7) days, but may be renewed.
2. **ASPHALT BATCHING PLANTS**: A temporary use permit may be issued for portable asphalt batching plants, for use in road construction and repair in the area. The permit shall be issued for a period not to exceed sixty (60) days, but may be renewed for one or more 30-day period(s) if completion of the local project is delayed for reasons beyond the control of the contractor.

3. **AUCTIONS:** A temporary use permit may be issued for the public sale of property to the highest bidder. The permit shall be valid for not more than five (5) days and no sales shall be made within thirty (30) feet of any street or road right-of-way.
4. **CARNIVAL OR CIRCUS:** A temporary use permit may be issued for a carnival or circus for a period not longer than seven (7) days.
5. **CHRISTMAS TREE SALES:** A temporary use permit may be issued for the display and open-lot sale of Christmas trees for a period not longer than thirty (30) days.
6. **CONTRACTOR'S OFFICE AND EQUIPMENT SHED:** A temporary use permit may be issued for a contractor's temporary office and equipment shed incidental to a construction project. The office or shed shall not contain sleeping or cooking accommodations. The permit shall be valid for not more than one (1) year, but may be renewed. The office or shed shall be removed upon completion of construction project.
7. **FESTIVALS:** A temporary use permit may be issued for the establishment of an open air market for the sale of second hand goods, handicrafts, and antiques by ten (10) or more people each occupying separate booths or tables. The permit shall not be valid for more than seven (7) days, but may be renewed.
8. **FLEA MARKETS:** A temporary use permit may be issued for the establishment of an open air market for the sale of second hand goods, handicrafts, and antiques by ten (10) or more people each occupying separate booths or tables. The permit shall not be valid for more than seven (7) days, but may be renewed.
9. **OUTDOOR MUSIC ENTERTAINMENT EVENTS, OUTDOOR CONCERTS:** A special use permit may be issued for outdoor music and entertainment events, outdoor concerts (not otherwise qualifying as a tent theater, religious meeting or festival sponsored by local civic, religious, governmental organizations and recognized, duly chartered fraternal organizations). Said permit shall only be valid for eight (8) days from the date of issuance.
10. **REAL ESTATE PROJECT SALES OFFICE:** A temporary use permit may be issued for a temporary real estate office in any new subdivision which has been approved by the Village Board. The office shall contain no sleeping or cooking accommodations. The permit shall be valid for not more than one (1) year, but is renewable. The office shall be removed upon completion of the development of the subdivision. A model home may be used as a temporary sales office.

11. **RECYCLING FACILITIES:** A temporary use permit may be issued for the establishment of a recycling facility which will be established in conjunction with an existing commercial use. The permit shall be issued for a period not to exceed one (1) year, but may be renewed.
12. **SAWMILLS (Portable):** A temporary use permit is required and may be issued for the cutting and use of the trees from that parcel or lot only. The sawmill shall not be located closer than five hundred (500) feet to a residence unless that of the owner. The permit shall be valid for six (6) months, but may be renewed.
13. **SEASONAL SALES OF FARM PRODUCTS:** A temporary use permit may be issued for the operation of a roadside stand for the sale of farm produce which was not grown on the premises. The permit shall be valid for not more than six (6) months per year. No sales shall be made within thirty (30) feet of any street or road right-of-way. For a roadside stand operating more than three (3) months per year, an off-street parking area shall be provided.
14. **TEMPORARY SHELTER:** In the event of a fire or natural disaster which results in the partial or total demolition of any residence making it unfit for human habitation, the Zoning Enforcement Officer may, upon application from the owner of such residence, issue a temporary use permit for the use of a mobile home for each family during rehabilitation of the original residence or construction of a new residence, subject to the following conditions:
 - A. A mobile home shall be placed on the lot of the home damaged or destroyed, if possible.
 - B. Required water and sanitary facilities shall be provided.
 - C. The permit is to be limited to six (6) months, but in the event of circumstances beyond the control of the owner, the Zoning Enforcement Officer may extend the permit for a period of periods not to exceed sixty (60) days, and the foregoing only when the application is made fifteen (15) days prior to expiration of the original permit.
 - D. The trailer or mobile home is to be removed from the property by the owner/applicant when the Zoning Enforcement Officer determines the new or rehabilitated residence is fit for occupancy.
 - E. Applicant gives express consent and authorizes the County to remove the temporary shelter at his expense upon termination of permit, if not removed during the specified time frame.

15. **TENT THEATER MEETINGS:** A temporary use permit may be issued for a tent or other temporary structure to house meetings for a period of not more than seven (7) days.

16. **TENT SALES:** A temporary use permit may be issued for a tent or other temporary structure to house the sale of merchandise only by an established local retailer. The permit shall be valid for not more than thirty (30) days, but may be renewed. No sales shall be made within thirty (30) feet of any road right-of-way.

9-5-5-5: **Issuing Permits:** The Zoning Enforcement Officer shall issue a Temporary Use permit only if the following conditions have been met.

1. Such Temporary Use permit has been approved by the Village Board.
2. All other Village, County and State permits, if required for the proposed use, have been approved.
3. All conditions specified in the specific regulations of this section are met.
4. Any conditions specified by the Zoning Enforcement Officer and other applicable governmental authorities have been formally agreed to.

9-5-5-6: **Permit Form:** A written permit will be issued for all Temporary Uses and shall contain the following information:

1. The applicant' name.
2. The location and effective dates of the Temporary Use.
3. Conditions specified by the Zoning Enforcement Officer, the Village Board and all other applicable governmental authorities for the Temporary Use.
4. Signature of the Zoning Enforcement Officer issuing the permit.

9-5-5-7: **Permit Renewal:** Permits which are renewable shall have an application filed for renewal at least fifteen (15) days prior to the expiration date of the current permit, except that applications for renewal or extension of a permit for less than fifteen (15) days may be applied for no later than three (3) days prior to the expiration date of the current permit.

9-5-5-8: **Emergency Permits:** Temporary Use Permits may be issued in time of emergency for temporary shelters as specified above, without regard to application time limits.

9-5-6: Off-Street Parking: The purpose of this Section is to promote the establishment of adequate off-street parking facilities in order to alleviate traffic problems and engender public safety and convenience, as well as to meet the specialized parking needs of those who are physically handicapped, or who prefer to use bicycles or “motored cycles” instead of automobiles. Compliance with the provisions of this Section shall be required in all districts.

9-5-6-1: Approval of Parking Plan: When off-street parking facilities are required under this Section, the plans for such facilities shall be submitted to the Building and Zoning Officer. They shall then refer all plans to the Village Board for review of the proposed grading and drainage structures related to the control and removal of stormwater, and for general compliance with this Chapter. The Village Board shall inform the Zoning Enforcement Officer of its requirements. A Building Permit shall not be issued until the Zoning Enforcement Officer reviews recommendations and approves the plan with changes, if any.

9-5-6-2: General Requirements

The duty to provide and maintain an off-street parking area shall be the responsibility of the owner or operator of the use which requires the off-street parking area.

When any existing use requiring parking spaces under this Title is enlarged, expanded or changed, parking spaces shall be provided for the increment of expansion as if the increment were a separate use.

For all uses established or placed into operation, the amount of off-street parking space set forth in this Chapter shall be provided.

All off-street parking spaces, whether provided in accordance with the provisions of this Chapter or former Ordinances, shall be continued to be provided and shall be maintained as required in this Chapter.

Parking spaces for all types of uses may be provided either in garages or open parking areas conforming with the provisions of this Title.

9-5-6-3: Location of Required Parking Spaces: Required off-street parking may be remotely located from the use for which it is required to the following extent:

1. In all residential districts, parking facilities shall be located on the same or contiguous lot or lots with the building they are required to serve.
2. In all business districts, parking facilities shall be located within four hundred (400) feet of the building they are required to serve.
3. In all industrial districts, parking facilities shall be located within six hundred (600) feet of the building they are required to serve.

9-5-6-4: Enclosed buildings and carports containing off-street parking shall be subject to applicable yard requirements.

9-5-6-5: Unroofed parking space may be located in the required front yard. However, not more than fifty (50) percent of the area of the required front yard may be developed as parking space and an unobstructed space of at least thirty (30) feet shall be left along the lot line.

9-5-6-6: Unroofed parking space may be located in required side or rear yard, but only if an unobstructed space of at least ten (10) feet is left along the lot line.

9-5-6-7: No parking shall be permitted between the property line and the curb line or edge of the pavement.

9-5-6-8: Combining of Parking Area: When two (2) or more uses on the same lot or parcel require off-street parking space, such space may be combined and used jointly. However, when parking space is combined and used jointly, the parking space shall be adequate in area to provide the sum total of off-street parking space requirements of all such uses.

9-5-6-9: Design, Development, and Maintenance Requirements:

Every parcel of land used as a public or private parking area, commercial parking lot, or automobile or trailer sales lot, shall be designed, developed and maintained in accordance with the following requirements.

The parking area shall be graded for proper drainage and provided with an improved surface such as gravel, blacktop, or concrete, and maintained in such manner as to be free of dust, trash and debris. The volume of stormwater runoff shall be controlled so as not to exceed that which existed in the natural state.

9-5-6-10: Screening of parking lots must be provided as required in the screening section of this Title. Any lights used to illuminate such parking lots shall be so arranged and shaded as to reflect lighting away from adjoining residential properties.

9-5-6-11: The parking area shall not have more than one attendant shelter, which shall conform to all setback requirements for structures, in the district in which it is located.

9-5-6-12: The parking area shall be designed with appropriate means of vehicular access to a street or alley in such a manner as to minimize interference with traffic movement. It shall be provided with entrances and exits not less than twelve (12) feet in width and not more than twenty-five (25) feet in width.

9-5-6-13: For any use which requires twenty (20) or more parking spaces, space and facilities shall be provided for the parking of bicycles.

9-5-6-14: For any use which requires twenty (20) or more spaces, one space designed, reserved and designated for a motorcycle shall be provided for each twenty automobile spaces. However, the total need not exceed five (5). Motorcycle parking spaces shall have minimum dimensions of 4' x 7' and shall not be counted as parking spaces for the purpose of this Title.

9-5-6-15: All off-street parking areas shall provide parking spaces designed and reserved for handicapped persons as follows: One (1) space per each twenty-five (25) spaces for the first one-hundred (100) spaces (minimum of one (1) space required); one (1) space per fifty (50) spaces for the next one-hundred (100) spaces; and one (1) space for one-hundred (100) spaces for all remaining spaces. These parking spaces must be of additional width to provide for wheelchair access as required by law.

9-5-6-16: The parking area shall be provided with wheel guards, bumper guards, or curbs so as to prevent the parked vehicles from extending beyond the outside perimeter of the parking area.

9-5-6-17: When off-street parking for fifty (50) or more vehicles is required, a minimum of 10% of the entire surface area of the parking lot shall be maintained as landscaped open space. The parking area shall be designed such that each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. No aisle designed for two-way traffic shall be less than twenty-four (24) feet in width.

9-5-6-18: The following minimum design standards shall be observed in laying out off-street parking facilities.

Parking Angle Degrees	Stall Width	Aisle Width	Stall Depth	Parking Curb-to-Curb
0 to 15	9 feet	12 feet	23 feet	30 feet
16 to 37	10 feet	11 feet	19 feet	47 feet
38 to 57	10 feet	13 feet	19 feet	54 feet
58 to 74	10 feet	18 feet	19 feet	61 feet
75 to 90	10 feet	24 feet	19 feet	63 feet

All spaces shall have a minimum vertical clearance of seven (7) feet.

9-5-6-19: Space Required

1. The required off-street parking spaces for a particular use shall be determined by the following minimum requirements:
2. When units of measurement result in the requirement of a fractional space, any fraction shall require one (1) additional parking space.
3. When the number of employees is used in a calculation of required parking spaces, the maximum number of employees who will be working at one time shall be used.
 - A. Financial institutions shall have one (1) parking space per two hundred (200) square feet of floor area, plus (2) parking spaces for every three (3) employees. In addition, each drive-in banking window shall have a stacking requirement of five (5) spaces. The required stacking space shall not be located in an access aisle if the presence of vehicles in queue would prohibit parked vehicles from being readily removed. In addition, no required stacking spaces shall be permitted upon the public right-of-way.
 - B. Businesses or professional offices, and buildings not specifically mentioned elsewhere in this Chapter, shall have one (1) parking space per two hundred fifty (250) square feet of floor area. However, areas not normally open to the public may be excluded in computing the number of required parking spaces.
 - C. Churches or places of worship shall have one (1) parking lot per three (3) seating spaces.
 - D. Convalescent, nursing, and other health homes and institutions shall have one (1) visitor parking space per four (4) patient beds, plus two (2) parking spaces per three (3) employees, plus one (1) parking space per staff doctor.
 - E. Group dwellings shall have two (2) parking spaces per three (3) residents.
 - F. Hospitals shall have one (1) visitor parking space per two (2) patient beds, plus two (2) parking spaces per three (3) employees, plus one (1) parking space per staff doctor.

- G. Hotels and motels shall have one (1) parking space per room or suite, plus two (2) parking spaces per three (3) employees.
- H. Industrial, manufacturing, warehouse and wholesale establishments shall have (1) parking space per three (3) employees.
- I. Clinics (medical, chiropractic, veterinarian) shall have six (6) parking spaces per staff doctor plus (2) parking spaces for every three (3) other employees.
- J. Funeral Homes shall have fifteen (15) parking spaces on the premises, plus five (5) spaces for each area which can be used as a parlor.
- K. Private clubs and lodge halls shall have one (1) parking space per three (3) persons based on the design capacity of the facility.
- L. Recreational businesses shall have one (1) parking space per three (3) patrons, based on the design capacity of the facility.
- M. Residential structures other than group dwellings shall have two (2) parking spaces per dwelling unit. In addition, there shall be one (1) visitor parking space for every three (3) dwelling units.
- N. Restaurants, taverns, and lounges shall have one (1) parking space per fifty (50) square feet of floor area.
- O. Retail sales and personal service shops shall have one (1) parking space per two-hundred (200) square feet of sales space open to the public.
- P. Private schools shall have parking spaces as follows:
 - 1) Elementary and junior high schools shall have one (1) parking space for each teacher and other employee.
 - 2) Senior high schools, colleges and universities shall have one (1) parking space for each teacher and other employee, plus one (1) parking space per five (5) students.
 - 3) Nursery schools shall have one (1) parking space for each teacher and other employee, plus one (1) off-street loading space per eight (8) pupils.

4) If a school has an auditorium or assembly hall which may be used by persons other than students of the school, the parking requirements set forth under “theaters, auditoriums and places of assembly” shall be used to fulfill the parking requirements of the school, provided the parking spaces are located near both uses.

5) Commercial and trade schools shall have two (2) parking spaces per five (5) students plus two (2) parking spaces per three (3) employees.

Q. Theaters, auditoriums and places of assembly shall have one (1) parking space per three (3) people based on the design capacity of the structure.

R. Residential Alternatives for the Disabled Persons shall have one (1) visitor parking space per six (6) developmentally disabled residents, plus two (2) parking spaces per three (3) employees.

9-5-6-20: Off-Street Loading Space: All uses involving receipt of or distribution of goods by motor vehicle shall have space on the premises for the pickup, service and delivery vehicles necessary for normal daily operation. These spaces shall be in addition to any required off-street parking space.

9-5-6-21: Modification: The Village Board may authorize a variation following the procedures of Chapter 7 of this Title for modification, reduction or waiver of the requirements of this Section, if it should find that in a particular case, the peculiar nature of the use, the exceptional shape or size of the property, or other exceptional situation or condition would justify such actions.

9-5-7: Standards for Certain Permitted Uses

9-5-7-1: Purpose

It is the purpose of this Section to establish additional regulations and standards for the creation and operation of certain permitted uses in the public interest to cover circumstances unique to the specific use.

9-5-7-2: Requirements

Any of the following uses, whether such use is permitted as a principal use or as an accessory use, or as a special use, shall be subject to the standards imposed in this Section.

9-5-7-3: Fire Stations, Police Stations, Township or County Buildings

1. The site shall be screened according to the provisions of Section 308 to minimize the impact upon adjoining properties.
2. Plans relating to drainage and runoff shall be submitted to the Zoning Enforcement Officer and reviewed by the Village Board. Such plans shall conform to applicable Village and County standards for stormwater detention, retention and release.
3. A thirty (30) foot side and rear yard setback shall be maintained in residential districts.

9-5-7-4: Towers and Customary, Necessary Accessory Structures: Communication, Amateur Radio, Airplane and Citizen Band

1. The standards in this Section apply to towers 100 feet or less in height. Towers over 100 feet must comply with the tower conditional use Section of this Ordinance.
2. Any tower, the height of which exceeds the distance from such tower to the property lines of the lot or parcel shall be constructed to withstand a minimum wind load of forty (40) pounds per square foot and surface areas at a wind speed of 100 mpg. Construction of any commercially manufactured tower one hundred (100) feet in height or less, constructed in accordance with the manufacturer's instructions, recommendations, and specifications shall be considered as satisfying the provisions of this Section.
3. The applicant shall provide adequate written evidence that any proposed towers and associated uses shall conform to all applicable standards established by the Village, the Federal Communications Commission, the Federal Aviation Administration, and all other relevant regulatory agencies.

9-5-7-5: Marinas

1. A site plan at a scale of at least 1"= 100' shall be submitted to the Zoning Enforcement Officer showing proposed and existing buildings and structures within the site, proposed parking area and traffic circulation paths into, within and out of the site, all existing or proposed plantings, fencing and landscape features which may serve as noise buffering or visual screening elements, and the location of on-site stormwater detention areas.

2. Minimum lot area shall be two (2) acres.
3. Required side yards shall be one hundred (100) feet and shall be maintained as open space.
4. Screening must be provided per the Screening Requirements under Chapter 3.
5. The marina operator shall execute a written agreement providing that he will allow no motor boats to dock or fuel at his facility, if such motorboats fail to conform to the muffler requirements and other requirements of the McHenry County Motorboat Equipment and Operation of Motorboats Ordinance, as amended from time to time.
6. The marina operator shall place and maintain barrier buoys at the water section of his side lot lines and shoreline. Said barrier buoys shall extend for a distance of twenty-five (25) feet, measured perpendicular to the shoreline, into an adjoining body of water.
7. The provision of drainage detention within the site shall conform to all applicable standards for stormwater detention, retention and release.
8. The provision of on-site parking spaces shall conform to the Parking Regulations under Article Four.

9-5-7-6: Residential Alternatives for Disabled Persons, 1-6 Residents

1. The proposed operator of a Residential Alternative for Disabled Persons serving between one (1) and six (6) residents shall submit to the Zoning Enforcement Officer the following items:
 - A. A description of the agency or not-for-profit corporation and its qualifications to provide these services;
 - B. A description of the nature, type and scope of the services to be provided in the proposed Residential Alternative Program;
 - C. A description of the type and number of personnel who will be employed in the proposed Residential Alternative Program;
 - D. A copy of a report from the local Mental Health Board, which report shall review and comment upon the proposed Residential Alternative Program;

- E. Evidence that the proposed Residential Alternative Program will be able to obtain all Federal, State and local licenses and/or certificates of accreditation which may be required by law for the type of program to be operated.
2. Appropriate standards for off-street parking shall apply for Residential Alternatives for Disabled Persons, as described in Chapter 4 of this Title.
3. Except as described in this Section, Residential Alternatives for Disabled Persons serving between one (1) and six (6) developmentally disabled residents shall be subject to no greater restrictions or requirements than those imposed upon all other residential uses in the Zoning District in which the Residential Alternative Program is to be located.

9-5-8: Soil Overlay Regulations

9-5-8-1: Purpose:

- A. To promote the public health, safety, and general welfare, and to conserve the values of property throughout the Village, by regulating the design of structures and facilities to be located on and in certain soil types lying within the Village that have limitations for certain types of uses because of one or more of the following factors:
 1. Frequent or continuous waterlogging;
 2. Periodic surface inundation by surface stormwater runoff;
 3. Subsurface or groundwater pollution;
 4. Susceptibility to erosion;
 5. Slow or excessively rapid internal water movement (permeability);
 6. Depth to bedrock deposits;
 7. High organic materials content.
- B. To create and designate certain soils overlay districts and to provide supplementary land use controls in addition to the requirements of the several primary zoning districts.

9-5-8-2: There is hereby incorporated by reference and made a part of this Ordinance, the soil maps as prepared and published by the University of Illinois, Agricultural Station, in cooperation with the Soil Conservation Service, United States Department of Agriculture (Soil Report #81), as updated and interpreted by the U.S.D.A. Soil Conservation Service, 1970, and soil survey legend 1978, SCS Technical Guide for McHenry County (herein referred to as the "Official Soil Maps"), which maps are hereby adopted by reference and thereby incorporated herein and three (3) copies of said document(s) hereby incorporated by reference have been kept on file with the Village Clerk for at least thirty (30) days prior to the adoption of this Ordinance.

9-5-8-3: There is hereby incorporated by reference and made a part of this Ordinance, the “Soil Standards Manual for Wastewater Disposal Systems” prepared and published by the County of McHenry, and three (3) copies of said document(s) hereby incorporated by reference have been kept on file with the Village Clerk for at least thirty (30) days prior to the adoption of this Title.

9-5-9: Procedures for Administration and Enforcement

9-5-9-1: The Zoning Enforcement Officer of the Village of Holiday Hills shall have the principal responsibility for the administration and enforcement of these soil overlay regulations and the Soil Standards Manual for Wastewater Disposal Systems.

9-5-9-2: The Zoning Enforcement Office shall obtain such aid and assistance from the McHenry County Health Department as may be required to enforce this Title or the Soil Standards Manual for Wastewater Disposal Systems.

9-5-9-3: To obtain a permit for on-site sewage disposal systems and soil absorption type sewage treatment plants, all applications must be reviewed for soil conditions per the Soil Standards Manual for Wastewater Disposal Systems by the Zoning Enforcement Officer and the McHenry County Health Department.

9-5-9-4: In the event of any dispute as to the accuracy of the Official Soil Map of McHenry County or as to the location or classification of soils upon a particular lot or parcel in the Village, the Zoning Enforcement Officer may resolve such discrepancies upon being provided with a definitive soil analysis and boring report certified by a soil scientist, or upon receipt of a supplemental report prepared by the United States Department of Agriculture, Soil Conservation Service. All such reports shall be reviewed by the McHenry County Health Department, prior to a decision by the Zoning Enforcement Officer.

9-5-9-5: Those soils classified as Non-Critical and listed in the Soil Standards Manual for Wastewater Disposal Systems are generally suitable for wastewater disposal systems, but shall be subject to recommendations by the Zoning Enforcement Officer and the McHenry County Health Department.

9-5-9-6: Those soils classified as Organic, Wet, Clayey, Steep, Shallow to Bedrock, Shallow to Loam Till, or Sandy and listed in the Soil Standards Manual for Wastewater Disposal Systems as having severe or very severe rating for wastewater disposal systems shall require additional soil testing as required above for resolving discrepancies and such data shall be submitted by the applicant. Review of such test results shall be made by the McHenry County Health Department before a decision is made by the Zoning Enforcement Officer.

9-5-9-7: An objection to, or appeal of the decision of the Zoning Enforcement Officer may be taken to the Zoning Board of Appeals.

9-5-10: Intensive Use Criteria

9-5-10-1: Purpose

It is the purpose of this Section to establish a method of notification to interested parties that a unique use that may negatively influence surrounding properties is being conducted on certain properties within a Zoning District. This Section is designed to provide a method of notification and not to create any artificial buffer zones or areas privileged from encroachment.

9-5-10-2: Standards

Such unique uses that may negatively influence surrounding properties include but are not limited to the following, as regulated by the EPA:

1. Feedlots, covered confinement livestock facilities, and dairy facilities that accommodate one hundred (100) animal units or more (animal units shall be defined pursuant to the regulations of the State of Illinois Environmental Protection Agency, as amended from time to time.
2. Cement manufacturing
3. Coke manufacturing
4. Grinding, woodworking, sandblasting and shotblasting
5. Primary metal industry
6. Rubber and plastic products industry
7. Chemicals and allied products industry
8. Food and kindred products industry
9. Printing and publishing industry
10. Petroleum and coal products industry
11. Bituminous cement (asphalt) plants
12. Stone, clay, glass products and paper and allied products industry
13. Painting products industry
14. Incinerators
15. Electric, gas and sanitary service
16. Gas and oil fired boilers
17. Grain - handling and conditioning operations
18. Grain - handling and drying operations

9-5-10-3: Procedures

9-5-10-3-1 Any landowner/operator interested in making note of the existence of an intensive use activity may submit an affidavit to the Zoning Enforcement Officer. Said affidavit will set forth the existence of any or all of the listed criteria.

9-5-10-3-2 Likewise, the Zoning Enforcement Officer may submit an affidavit concerning the existence of an intensive use activity.

9-5-10-3-3 Said affidavit will set forth the existence of any or all of the listed criteria when such information becomes available to the Zoning Enforcement Officer.

9-5-10-3-4 Upon the filing of such an affidavit, the Official Zoning Map shall be marked by the Zoning Enforcement Officer to indicate the existence of an intensive use activity. The Zoning Enforcement Officer shall also publish notice of the filing of an affidavit concerning the existence of an intensive use activity. At such time as an intensive use activity ceases to exist on properties so indicated the map shall be corrected to reflect the change. It will be the responsibility of the landowner/operator to make such information available to the Zoning Enforcement Officer.