

**AGENDA**  
**COMMITTEE OF THE WHOLE MEETING**  
**Village Hall – Board Room**  
**Tuesday, October 9, 2018**  
**Following Regular Village Board Meeting**

*Reasonable accommodations / auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need special accommodations to attend. The Committee of the Whole will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so. Citizens wishing to address the Board on agenda items may speak when the agenda item is open, prior to Board discussion.*

**CALL TO ORDER**

**1.0 ROLL CALL**

**2.0 APPROVAL OF MINUTES**

- 2.1 Acceptance of the September 24, 2018 Committee of the Whole Meeting Minutes

**3.0 ITEMS OF GENERAL BUSINESS**

**3.1 Planning, Zoning and Land Use**

- 3.11 Consideration of an Ordinance Amending Title 12 (Signs) Regarding Changes to Chapter 3 (Definitions), Chapter 8 (Sign Construction & Design: General Standards), Chapter 11 (Prohibited Signs), Chapter 12 (Exempt Signs, and Chapter 13 (Temporary Signs) (Village of Lincolnshire)

- 3.12 Preliminary Evaluation of Text Amendments to the Lincolnshire Zoning Code Regarding Office-Industrial Zoning District (O/I) Permitted & Special Use – Text Amendments (Village of Lincolnshire)

**3.2 Finance and Administration**

- 3.21 Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for 2018 Tax Levy to be Collected in Fiscal Year 2019 (Village of Lincolnshire)

**3.3 Public Works**

**3.4 Public Safety**

**3.5 Parks and Recreation**

**3.6 Judiciary and Personnel**

**4.0 UNFINISHED BUSINESS**

**5.0 NEW BUSINESS**

**6.0 EXECUTIVE SESSION**

**7.0 ADJOURNMENT**



**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
Monday, September 24, 2018**

Present:

Mayor Brandt	Trustee Harms Muth
<del>Trustee Grujanac</del>	Trustee Hancock
Trustee McDonough	Trustee Servi
<del>Trustee Leider</del>	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Finance Director/Treasurer Peterson	<del>Public Works Director Woodbury</del>
Chief of Police Leonas	Assistant Village Manager/Community & Economic Development Director Gilbertson
Assistant Public Works Director/Village Engineer Dittrich	Planning & Development Manager Zozulya

**ROLL CALL**

Mayor Brandt called the meeting to order at 7:50 p.m. and Village Clerk Mastandrea called the Roll.

**2.0 APPROVAL OF MINUTES**

**2.1 Acceptance of the September 10, 2018 Committee of the Whole Meeting Minutes**

The minutes of the September 10, 2018 Committee of the Whole Meeting were approved as submitted.

**3.0 ITEMS OF GENERAL BUSINESS**

**3.1 Planning, Zoning and Land Use**

**3.11 Public Hearing Regarding a Request for a Major Amendment to the Lincolnshire Marketplace Planned Unit Development to Permit Existing Culver's Wall Signs to be Internally Illuminated (Culver's of Lincolnshire – 405 Milwaukee Avenue)**

Planning & Development Manager Zozulya noted the reason for the Public Hearing is due to the change in wall style illumination requires a major amendment to the Lincolnshire Marketplace PUD. The sign code does not permit front-lit wall signs. Planning & Development Manager Zozulya noted the Architectural Review Board (ARB) reviewed the request and unanimously recommended the request with the stipulation that Culver's turn off all three wall signs at business close. Planning & Development Manager Zozulya provided information related to compliance by Culver's for the Public Hearing.

Mayor Brandt recessed the Regular Village Board Meeting and opened

the Public Hearing regarding a request for a Major Amendment to the Lincolnshire Market place Planned Unit Development to permit existing Culver's wall signs to be internally illuminated.

Mayor Brandt sore in Mr. Kevin Weasler, owner of Culver's.

Mr. Weasler provided a presentation regarding a request for a Major Amendment to the Lincolnshire Market place Planned Unit Development to permit existing Culver's wall signs to be internally illuminated.

Mayor Brandt noted the presentation would be entered in to the records as Findings of Facts.

Mayor Brandt closed the Public Hearing and reconvened the Committee of the Whole meeting at 7:58 p.m.

It was the consensus of the Board to place these items on the Consent Agenda for approval at the next Regular Village Board Meeting.

**3.12 Preliminary Evaluation of a Petition for a Special Use Permit and Variance for Building Height, Front Yard Setback, Rear Yard Landscape/Parking Setback, and Side Yard Landscape/Parking Setback for Home2 Hotel by Hilton (Silva Architects, Ltd. – 350 Knightsbridge Parkway)**

Assistant Village Manager/Community & Economic Development (CED) Director Gilbertson provided a summary of the preliminary evaluation of a petition for a Special Use Permit and Variance for building height, front yard setback, rear yard landscape/parking setback, and side yard landscape/parking setback for Home2 Hotel by Hilton.

Mr. Steve Silva with Silva Architects, Ltd., representing Home2 Hilton provided a presentation with proposed site, elevation and landscaping plans regarding the preliminary evaluation of a petition for a Special Use Permit and Variance for building height, front yard setback, rear yard landscape/parking setback, and side yard landscape/parking setback for Home2 Hotel by Hilton.

Trustee Servi noted his interest in moving the project forward but had some concerns with what is being called a "beacon" at the top of the building. Mr. Silva stated the attention getting device known as the beacon would comply with the code related to lighting.

Trustee McDonough asked about parking being below grade. Mr. Silva noted on the south of the building there will be a driveway which goes down to parking below.

Mayor Brandt asked if any other sites were looked at where no variance would be needed, and there would not be the need to install

underground parking. Mr. Silva stated other sites were looked at, but the price came in around the same so it was the desire to pursue the proposed location. Mr. Silva noted there is still visibility from Milwaukee Avenue from the proposed site.

It was the consensus of the Board to refer this to the ARB and Zoning Board.

**3.13 Consideration of Permit Fee Waiver Per Section 5-3-2A of the Lincolnshire Village Code (Riverside Foundation)**

Assistant Village Manager/CED Director Gilbertson provided a summary of permit fee waiver request from Riverside Foundation.

It was the consensus of the Board to place these items on the Consent Agenda for approval at the next Regular Village Board Meeting.

~~**3.14 Consideration of an Ordinance Amending Title 12 (Signs) Regarding Changes to Chapter 3 (Definitions), Chapter 8 (Sign Construction & Design: General Standards), Chapter 11 (Prohibited Signs), Chapter 12 (Exempt Signs, and Chapter 13 (Temporary Signs) (Village of Lincolnshire)**~~

~~**3.15 Consideration of Text Amendment to Chapter 2 (Definitions), and Chapter 3 (General Zoning Regulations, of the Lincolnshire Zoning Code (Title 6) Regarding Small Wireless Facilities (Village of Lincolnshire)**~~

Mayor Brandt moved Items 3.14 and 3.15 down on the agenda to allow requests from Citizens and Village Organizations.

3.2 Finance and Administration

**3.21 Receipt of Requests from Citizen and Village Organizations Regarding Proposed Fiscal Year 2019 Budget (Village of Lincolnshire)**

Village Manager Burke provided a brief summary regarding annual requests from citizens and Village organizations regarding proposed fiscal year 2019 budget. Village Manager Burke introduced Maureen Reidy with Visit Lake County and Brad LaJoie who is the new General Manager for the Marriott Lincolnshire Resort. Ms. Reidy will be providing a Visit Lake County year in review. Village Manager Burke noted a request recently came in from the Brushwood Center and was provided to the Board tonight for further discussion during the budget process.

Ms. Maureen Reidy, President of Visit Lake County, provided an overview of Visit Lake County and what the organization does to market Lake County as a tourism destination, how Visit Lake County is funded, and current marketing strategies. Ms. Reidy presented the "Let's Go!"

visitors guide being used to highlight community partners & major annual events. Ms. Reidy provided statistics from the Visit Lake County website and multi-media advertising relative to the Village of Lincolnshire. Ms. Reidy mentioned the popularity of Restaurant Week and the Lake County Libation Trail. Ms. Reidy concluded the presentation with information about economic impact of tourism and the partnership with Lincolnshire.

Trustee Harms Muth asked how Lincolnshire went from the contribution of \$18,000 to \$33,000. Mayor Brandt noted Visit Lake County is requesting \$33,000 but this is a discussion the Board will have during Budget workshops. Village Manager Burke noted each year Visit Lake County makes a request based on hotel room numbers in Lincolnshire.

Mr. Brad LaJoie, General Manager for Marriott Lincolnshire Resort provided a presentation regarding the hotel statistics, hotel events, meeting business, and the support the hotel receives from Visit Lake County.

It was the consensus of the Board to discuss this request during Special Committee of the Whole Budget Workshop Meetings.

### **3.22 Receipt and Consideration of Police Pension Fund Report (Village of Lincolnshire)**

Village Manager Burke introduced Mr. Steve Lee, President of the Police Pension Fund and provided a brief summary of the annual Police Pension Fund Report.

Mayor Brandt noted the Police Pension Fund provides a number to the Board in which they would like for 2019 contributions that will be discussed at the Budget Workshop meetings.

Village Manager Burke noted the Pension Board is a statutorily defined board with three members and two mayoral appointments. Mr. Steve Lee noted the Police Pension Board is independent from the Village.

Mr. Lee provided a presentation regarding the Police Pension Fund including 2017 highlights, a summary of 2018 actuarial valuation, trend in participants and payroll, benefit payments vs. contributions, and financial condition indicators.

Trustee McDonough asked why the Pension Board would request more if there is less Police Officers on staff. Mr. Lee stated they are asking for less but showing the amount as if the Department was fully staffed at the time the actuarial report was prepared.

Mr. Lee continued his presentation highlighting the summary of 2018 actuarial valuation, recommended vs. actual contributions, 10-year

projections, projected funding policy contributions, projected financial condition indicators, distribution of downstate Police Pension Plans by funded status, distribution of downstate Police Pension Plans by rate of return, and area comparison.

The Police Pension Board requests \$855,000 in contributions for 2019.

It was the consensus of the Board to discuss this request during Special Committee of the Whole Budget Workshop Meetings.

### **3.23 Consideration and of an Ordinance Authorizing the Disposal of Surplus Property (Village of Lincolnshire)**

Village Manager Burke provided a summary of the semi-annual Ordinance authorizing the disposal of surplus property.

It was the consensus of the Board to place these items on the Consent Agenda for approval at the next Regular Village Board Meeting.

### 3.3 Public Works

### 3.4 Public Safety

#### **3.41 Consideration of a Resolution Approving an Agreement Pertaining to the Regulations of Traffic and Parking on Abbotsford Drive (Westminster Woods Environmental Protection Association)**

Police Chief Leonas provided a summary of a Resolution approving an Agreement pertaining to the regulations of traffic and parking on Abbotsford Drive.

It was the consensus of the Board to place these items on the Consent Agenda for approval at the next Regular Village Board Meeting.

### 3.5 Parks and Recreation

### 3.6 Judiciary and Personnel

## **4.0 UNFINISHED BUSINESS**

### **3.14 Consideration of an Ordinance Amending Title 12 (Signs) Regarding Changes to Chapter 3 (Definitions), Chapter 8 (Sign Construction & Design: General Standards), Chapter 11 (Prohibited Signs), Chapter 12 (Exempt Signs, and Chapter 13 (Temporary Signs) (Village of Lincolnshire)**

Mayor Brandt recommended this item be placed on the next Committee of the Whole Meeting for consideration.

It was the consensus of the Board to place these items on the next Committee of the Whole Meeting for consideration.

**3.15 Consideration of Text Amendment to Chapter 2 (Definitions), and Chapter 3 (General Zoning Regulations, of the Lincolnshire Zoning Code (Title 6) Regarding Small Wireless Facilities (Village of Lincolnshire)**

Assistant Village Manager/CED Director Gilbertson provided a summary of a proposed Text Amendment to Chapter 2, and Chapter 3 of the Lincolnshire Zoning Code regarding Small Wireless Facilities which complies with state law.

It was the consensus of the Board to place these items on the Consent Agenda for approval at the next Regular Village Board Meeting.

**5.0 NEW BUSINESS**  
**6.0 EXECUTIVE SESSION**

Trustee McDonough moved and Trustee Servi seconded the motion to go into Executive Session for the purpose of discussing 5 ILCS 120/2(c)(1) appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body. The roll call vote was as follows: AYES: Trustees Harms Muth, Hancock, McDonough, and Servi. NAYS: None. ABSENT: Trustee Leider and Grujanac. ABSTAIN: None. Mayor Brandt declared the motion carried and the Board went into Executive Session at 9:28 p.m. and came out of Executive Session at 10:33 p.m.

**7.0 ADJOURNMENT**

Trustee Harms Muth moved and Trustee Hancock seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 10:36 p.m.

Respectfully submitted,

**VILLAGE OF LINCOLNSHIRE**

Barbara Mastandrea  
Village Clerk

**REQUEST FOR BOARD ACTION**  
**Committee of the Whole**  
**October 9, 2018**

**Subject:** Sign Code (Title 12) Revisions

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**Action Requested:** Consideration of an Ordinance Amending Title 12 (Signs) regarding Changes to Chapter 3 (Definitions), Chapter 8 (Sign Construction & Design: General Standards), Chapter 11 (Prohibited Signs), Chapter 12 (Exempt Signs) and Chapter 13 (Temporary Signs)

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**Petitioner:** Village of Lincolnshire

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**Originated By/Contact:** Tonya Zozulya, Planning & Development Manager  
Department of Community & Economic Development

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**Referred To:** Architectural Review Board

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**Background:**

- The most recent Sign Code rewrite was adopted in June 2009. Since then, a number of revisions (including changes to wall, temporary, political and LED gas station monument signs, as well as sign landscaping) have been made to clarify or refine Code requirements. The latest changes to the Sign Code were adopted in March 2017 and pertained to off-premise monument signs for multi-tenant shopping centers, ground and awning signs, and sign districts.
- Staff and the Village Attorney identified additional areas where further amendments are warranted in response to recent temporary sign requests and staff research. The Village Attorney recommended the Village consider making changes to Chapter 13, Temporary Signs, in light of the 2015 Supreme Court case, *Reed vs. Town of Gilbert, Arizona*, to make temporary sign regulations content-neutral and not based on the sign message (see Document 2). Staff is also proposing amendments regarding permanent ground and wall sign illumination in Chapter 8 (Sign Construction & Design: General Standards), in response to resident concern. In addition, changes are proposed to Chapter 11 (Prohibited Signs) to allow temporary banner signs with conditions.
- The Village Board reviewed this request on September 11, 2017 and November 13, 2017 and referred it to the Architectural Review Board (ARB). During the referral, the Village Board directed the Village Attorney and staff to provide for a shorter temporary banner sign display period than other temporary free-standing signs in each Sign District. They also expressed a desire for the current temporary real estate sign maximum size of 6' in height and 6 square feet in area in residential zones to remain the same or be reduced, and no more than one real estate sign be permitted per lot which includes corner lots with two frontages.
- On January 16, 2018, the Architectural Review Board held a Public Hearing on the proposed Sign Code revisions. On March 20, 2018 and May 31, 2018, the ARB continued discussion

and requested staff research permanent sign dimming options. On September 4, 2018, the ARB completed its discussion and made a recommendation (see attached Document 8).

- Staff conducted several Northwest Municipal Conference and independent surveys (see attached Document 6) to obtain information from local communities on temporary sign regulations:
  - The first survey requested information on whether communities revised their codes in response to the *Reed* case and how they regulate certain signs. Ten communities responded. Two communities (Lake Zurich and Schaumburg) stated they have revised their Codes to make them more content-neutral based on the *Reed* case law. Deerfield, Bannockburn, Lake Forest, Lake Bluff, and Highland Park have not revised their Codes since the *Reed* case. The City of Lake Forest is currently reviewing their Sign Code for potential changes. Highland Park indicated they will consider revisions based on the *Reed* case during future sign Code amendments.
  - Staff also conducted a Northwest Municipal Conference survey to determine night time sign illumination requirements in other communities. The attached survey results show 13 communities responded, including Highland Park and Buffalo Grove that do not have such requirements. Six communities require signs to be turned off at night at different times, including “within an hour of business closing,” 11 p.m. - 6 a.m., 11 p.m. - 7 a.m., 12 a.m. - 6 a.m. and 1 a.m. - 7 a.m., all enforced on a complaint basis only. These communities indicated the sign turn-off requirement does not apply to 24-hour businesses. Additionally, staff researched the surrounding communities of Lake Forest, Lake Bluff, and Deerfield. All three communities reported signs were required to be turned off at night. Enforcement is conducted on a complaint basis. Lake Forest’s signs must be turned off after normal business closing; Lake Bluff’s - between 11 p.m. and 6 a.m.; and Deerfield – between 11 p.m. or business close (whichever is later) and dusk. Deerfield’s regulations apply to signs within 120’ of residential zones.
  - Additionally, Staff contacted nine North Shore communities to determine whether banner signs are allowed. Two communities (Lake Forest and Winnetka) stated they prohibit banners. Six (Highland Park, Lake Bluff, Northbrook, Glenview, Wilmette and Deerfield) allow them, with Deerfield’s permissibility applicable only to public and religious institutions only (e.g., schools, libraries, and churches). The Village of Glencoe did not respond to the survey.
- Attached is a draft ordinance, prepared by the Village Attorney, containing proposed changes (see attached Document 1).

### **Summary of Revisions:**

#### **Temporary Signs – Chapter 13**

- *Content Neutral Regulations* - The Village Attorney and staff reorganized the entire Temporary Sign Code chapter to retain current general requirements regarding sign design while creating broad regulations by sign type and Sign District (note: the existing Downtown, Residential, Corridor Commercial, and Office/Industrial Districts will not change with the proposed amendment). As proposed, there would no longer be different regulations based on the specific purposes of temporary signs, such as promotional, real estate, project announcement, construction, etc. These specific temporary sign names would be removed

from the Code. All types of temporary signs would be treated the same in each sign district, with regulations varying depending on whether it is a freestanding, banner, window, or a light pole sign. For example, temporary garage sale signs are proposed to be treated the same way as temporary real estate signs in the Residential Sign District and temporary promotional signs would be treated the same as temporary commercial real estate signs in the Downtown, Corridor Commercial and Office/Industrial District.

**ARB Recommendation: Support.**

- *Sign Size* - Signs in the Corridor Commercial District are proposed to be larger than signs in the Downtown and Office/Industrial Sign Districts because of higher speeds and need for larger sign messages expected along major arterials in that sign district. The only exception is temporary off-premise institutional signs advertising non-profit events (e.g., a church event). The rationale for this exception is these signs promote noncommercial speech and are regulated differently for the permitted maximum number of signs and their placement. Attached is a table comparing current and proposed sign regulations (note: as stated above, the revised Code would not contain any individual sign types mentioned by name to keep regulations content neutral). The proposed size is recommended to adequately accommodate all types of signs. The maximum number of days for signs (except banners) was slightly increased for the Residential and Office/Industrial Sign Districts (from 90 to 91 to make the number divisible by 7 for easier tracking) and in the Downtown/Corridor Commercial District (from 90 to 245 to adequately accommodate all types of signs). Banner signs are proposed to have a shorter display period (14 days in the Residential Sign District and 91 days in all other Sign Districts).

**ARB Recommendation: Support but reduce the display period for temporary signs, except banners, in the Downtown/Corridor Commercial Sign District from the originally proposed 245 days at the time of preliminary evaluation to 120 days to maintain the temporary nature of these signs. The ARB also recommended language to prevent staggering of time periods for banner and non-banner temporary signs.**

Given the Village Board's request for smaller residential real estate signs, the ARB determined the appropriate size should be 2 square feet in area and 4' in height for those residential signs that are not adjacent to an arterial road, such as Riverwoods Road and Half Day Road (this size is modeled after Lake Forest and Lake Bluff real estate signs – see attached Document 5). Since the new code would treat all types of signs the same in each sign district, all non-banner signs in the Residential Sign District not adjacent to an arterial would be capped at 2 square feet in area and 4' in height. The ARB recommended a maximum area of 16 square feet and maximum height of 6' for arterial signs in the Residential Sign District due to higher speed limits and need for enhanced visibility.

While the ARB did not request reducing the size of temporary banner signs not adjacent to arterial roads to match the proposed size of temporary non-banner signs in the Residential Sign District, staff recommends non-arterial banners in that district should be reduced from the proposed 16 square feet in area and 6' in height to 2 square feet in area and 4' in height. This will achieve consistency in sign dimensions within the Residential Sign District.

Staff is also concerned two different size requirements for arterial and non-arterial properties in the Residential Sign District will pose enforcement challenges with current resources. Staff seeks the Board's feedback whether the size should be standardized to 2 square feet in area and 4' in height. This reduction would mostly impact churches along Riverwoods Road that use temporary signs to advertise special events, requiring them to use much smaller signs than what is currently allowed (the current maximum permitted promotional sign size is 20 square feet in area and 6' in height).

- *Temporary Window Signs for All-Office Buildings:* The original draft ordinance, presented to the Village Board at preliminary evaluation, proposed revisions to allow temporary window signs on the first and second floors of all buildings, including office buildings, with the current limitation regarding the window sign size and placement. The current Code does not allow permanent or temporary window signs on the first and second floor of all-office buildings (occupied by office users only, such as the two-story NorthShore University medical office building in Lincolnshire Commons) and on the second floor of all other types of buildings, such as Village Green, CityPark, and Oak Tree Corners with mixed uses. This relaxation would allow first- and second-floor offices and other second-floor businesses the ability to display temporary window signs. No temporary window signs would be allowed above the second floor regardless of the building use.

**ARB Recommendation:** The ARB did not recommend the current prohibition be removed as they believe office users typically do not require window signs. Therefore, the attached draft ordinance does not contain any revisions to the current prohibition.

- *Banner Signs* - The draft Sign Ordinance also establishes new regulations for temporary free-standing banner signs (defined as "signs without a hard backing") which are currently prohibited. Staff received a request from Baceline Investments, owners of the Village Green Shopping Center, about allowing these signs. Baceline stated they believe hard backing signs are expensive to make and take up a significant amount of storage space. Baceline recently opted not to use signage to promote the Itty Bitty Pumpkin Patch special event for these reasons, noting they also plan to forgo sign advertisement for other events if the Village does not relax the code. Lincolnshire has historically prohibited banners for aesthetic reasons for all types of temporary signs. Besides Baceline, the Village has previously received requests for banner signs from local retailers, prospective businesses, corporations, and festival organizers who are interested in the ability to display wall and free-standing banners for promotion/advertisement and project announcements (e.g., grand openings, anniversary sales, menu specials, festivals, "coming soon"). Banners attached to walls, fences or other structures, as well as feather and pennant signs, would remain prohibited.

**ARB Recommendation:** The ARB supported allowing temporary free-standing banners. However, they recommended no canvas material banners be allowed due to maintenance concerns (only vinyl material could be used). Properties without sufficient space for the installation of temporary banner signs (as well as temporary non-banner signs) on private property would not be able to erect these types of signs.

Sign Construction & Design: General Standards – Chapter 8

- *Items of Information* - Staff proposes to relax the current “items of information” regulations for temporary signs only. Examples of “items of information” include business names, logos, as well as message bites such as “Opening winter 2018” and “Now hiring.” The current restriction of no more than 2 items of information is proposed to be eliminated to allow greater message flexibility. Staff determined the current limit was restrictive for temporary signs, with some types (real estate signs) sometimes needing to display as many as 10 items of information. The current 2-item of information restriction would continue to apply to permanent signs.

**ARB Recommendation: Support.**

- *Permanent Sign Illumination* - Staff also proposes to revise current permanent wall and ground sign illumination requirements. The Sign Code currently states illuminated wall and ground signs adjacent to or across the street from residentially zoned properties must be turned off between the hours of 11 p.m. and 7 a.m. unless a business is open past 11 p.m., in which case signs must be turned off between 1 a.m. and 7 a.m. There is an exemption for 24-hour gas station electronic message board signs which can stay lit at night (all three Lincolnshire gas stations are open 24 hours). The attached draft ordinance amends the current regulations to require only those signs that are located within 120’ of the façade of the nearest residential building, and are visible to residents, be switched off at business close but no later than 1 a.m. and be turned back at the earlier of business opening or 6 a.m. The proposed 120’ separation was modeled after the Deerfield Code to allow a greater number of signs to remain lit at night. Any sign in the Village would continue to be subject to the maximum 0.5 foot candle light intensity requirement so as not to adversely impact surrounding properties.

The vast majority of commercial signs are located along Milwaukee Avenue and not in close proximity to any residential homes. These signs also provide security and illumination in addition to parking lot and building lights which are not required to be turned off at night.

**ARB Recommendation: Support.**

**The ARB determined all signs located outside 120’ of residential dwellings would be allowed to remain lit, without being dimmed at night. The ARB’s determination was based on a recent staff inspection of 15 illuminated signs in the Village (see attached Document 7). The inspection was conducted at various commercial locations throughout the Village using an industry-standard light meter. Staff found the illumination levels of all 15 signs (except one) were 0 foot candles at the property line, which is 0.5 foot candles less than the maximum code-permitted illumination level. (Note: The Sign Code does not establish maximum brightness levels at the sign source or other locations.)**

**Staff is not aware of existing permanent signs in the Village that are currently within 120’ of residences with a direct line of sight toward windows and would be required to be turned off at night.**

Prohibited Signs – Chapter 11

- The prohibition regarding banner signs is proposed to be removed (see Chapter 13 discussion above). Temporary banners would be permitted with specific regulations.

**ARB Recommendation: Support.**

Exempt Signs – Chapter 12

- The regulation for “car for sale” signs is proposed to be revised to specify no more than one such sign may be placed on the interior of a car owned by the owner/tenant of the property where the car is advertised for sale.

**ARB Recommendation: Support.**

Definitions – Chapter 3:

- The definitions of “Institutional Sign” and “Off-Premise Institutional Sign” are proposed to be revised as shown on the attached to clarify the entities eligible for such signs.

**ARB Recommendation: Support.**

If the proposed code changes are adopted, staff will notify residents, businesses, organizations and area brokers about new requirements through the website, E-News, Lincolnshire Business Spotlight digital newsletter, regular newsletter and social media.

**Recommendation:**

Consideration of an ordinance amending Title 12, with feedback and direction to staff.

**Reports and Documents Attached:**

- Document 1: Draft ordinance containing revisions to Chapters 3, 8, 12 and 13 of Title 12, Sign Control, prepared by Staff and Village Attorney Simon.
- Document 2: A summary of the Reed vs. Town of Gilbert Supreme Court case, prepared by Ancel Glink Attorney Julie Tappendorf.
- Document 3: Sign District map from the current Sign Code.
- Document 4: Current Chapter 3 (Definitions), Chapter 8 (Sign Construction & Design: General Standards), Chapter 11 (Prohibited Signs), Chapter 12 (Exempt Signs) and Chapter 13 (Temporary Signs).
- Document 5: Photos of Lincolnshire, Lake Forest and Lake Bluff residential real estate signs.
- Document 6: Northwest Municipal Conference temporary sign survey results.
- Document 7: Sign brightness inventory, prepared by staff.
- Document 8: January 16, 2018, March 20, 2018 and May 31, 2018 ARB meeting minutes on the Sign Code.

<b>Meeting History</b>	
Village Board COW Preliminary Evaluation (initial)	September 11, 2017
Village Board Preliminary Evaluation (continued)	November 13, 2017
Architectural Review Board public hearing	January 16, 2018
Architectural Review Board (continued)	March 20, 2018
Architectural Review Board (continued)	May 31, 2018
Architectural Review Board (continued)	September 4, 2018
Village Board COW (current)	October 9, 2018

**VILLAGE OF LINCOLNSHIRE**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 12 (SIGNS)  
OF THE VILLAGE OF LINCOLNSHIRE MUNICIPAL CODE**

**WHEREAS**, the Village of Lincolnshire, an Illinois home rule municipal corporation, has the authority to adopt ordinances and promulgate rules and regulations that pertain to its government and affairs, including the coordination and operation of various activities and structures within its boundaries, and to protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, the Village has express statutory authority to establish and enforce standards for the review of the design of buildings and structures, including signs, 65 ILCS 5/11-13-1(12); and

**WHEREAS**, the Village Board finds it necessary for the promotion and preservation of the public health, safety and welfare of the Village that the design, erection, construction, location and maintenance of all signs be regulated and controlled;

**WHEREAS**, the Village has an important and substantial interest in preventing the proliferation of temporary signs of increasing size and dimensions as a result of competition between commercial property owners seeking the attention of passing motorists (*i.e.*, sign clutter); and

**WHEREAS**, the Village has an important and substantial interest in ensuring the signs erected and displayed in the community are constructed well and maintained in good order to ensure the signs do not deteriorate and consequently have a negative impact on aesthetics and property values; and

**WHEREAS**, Village Board finds that sign clutter makes the community less attractive for commerce and private investment, and dilutes and obscures messages being displayed in the village's non-residential sign districts by creating visual confusion and aesthetic blight; and

**WHEREAS**, the Village Board finds that the regulation of temporary signs in non-residential sign districts requires greater oversight to abate the effects which sign proliferation has on aesthetics and economic development; and

**WHEREAS**, the Village desires to ensure its temporary sign regulations conform to the legal precedent set by the U.S. Supreme Court case *Reed v. Town of Gilbert* (June 18, 2015), and are consequently characterized as content-neutral, time, place and manner restrictions; and

**WHEREAS**, the Village Board referred to the Architectural Review Board (“ARB”) a petition to research, consider and prepare proposed text amendments to the Sign Code to clarify and amend the standards for temporary signs; and

**WHEREAS**, following due publication of notice in the \_\_\_\_\_ on \_\_\_\_\_, 2017, a public hearing concerning the proposed amendments to the regulation of Temporary Signs in the Sign Code of the Village was convened by the ARB on \_\_\_\_\_, and continued from time to time until finally adjourned on \_\_\_\_\_; and

**WHEREAS**, following deliberation and consideration on the evidence and testimony elicited during the public hearings and the recommendation of the ARB, the Village Board desires for the Sign Code to be amended as proposed by Staff to further the regulation of temporary signs; and

**WHEREAS**, the Village hereby finds that it is in the best interest of the Village and the public to amend its Sign Code to promote the highest and best use of the land in the Village and to achieve various other goals promoting the economic health and welfare of the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village Of Lincolnshire, Lake County, Illinois, in exercise of its home rule powers, as follows:

SECTION ONE: The findings contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance as though fully set forth herein. The findings of the Architectural Review Board of the Village of Lincolnshire, Lake County, Illinois, are herein incorporated by reference as the findings of this Board to the same effect as if fully recited herein at length. All

references in the ARB's findings are made the references of the Mayor and Board of Trustees of the Village of Lincolnshire.

SECTION TWO: Section 12-3-1 of the Village of Lincolnshire Sign Code is hereby amended by:

A. Repealing and replacing the definition of "Institutional Sign" with the following definition: "A sign erected by a not-for-profit entity, that has its principal place of business in Lincolnshire, which advertises a noncommercial event or activity being organized by such not-for-profit entity."

B. Repealing and replacing the definition of "Off-Premise Institutional Sign" with the following definition: "A freestanding sign erected by a not-for-profit entity, that has its principal place of business in Lincolnshire, which advertises a noncommercial event or activity being organized by such not-for-profit entity and which is located on any property or right-of-way other than where the event or activity shall occur."

SECTION THREE: Section 12-13-1 of the Village of Lincolnshire Sign Code is hereby replaced with a new Section 12-13-1 as presented in Exhibit A, attached hereto and incorporated as though fully Set forth herein.

SECTION FOUR: Other Changes.

A. Section 12-8-1(H)(2) is hereby revised as described below:

2. Each descriptive or identifying word, set of words, icon, logo, symbol or image on a sign shall be defined as an "item of information". For example, but not in limitation thereof, each of the following would be one (1) item of information: (a) the name of the business, even if multiple words, or (b) the business logo. The street number address of the business is not counted as an item of information. A company catchphrase or motto may be included on a sign only if it is a part of the legal name of a business. Products, services, telephone number, or a website address shall not be permitted as part of the Copy on a permanent sign unless it is part of the legal name of a business. ~~The display of either a website address or telephone number shall be permitted on Temporary Advertisement/Promotional and Institutional Signs, and such copy shall not count as an item of information for such signs.~~ The prohibition against displaying the names of products or services shall not apply to Awning/Canopy Signs ~~and Temporary Advertisement/Promotional Signs.~~ Temporary signs shall be exempt from any limitations on items of information.

B. Section 12-11-1(D) is hereby amended to read as follows:

- D. ~~Banners, Feather signs,~~ bunting, pennants and items of a similar nature, not including those permitted in accordance with this Title.
- C. Section 12-12-1(H) is hereby stricken and replaced with the following:
- H. On property owned or leased by the owner of one or more vehicles, one sign placed on the inside of only one of such owner's or lessee's vehicles shall be exempt from the regulations of this Chapter.
- D. Section 12-8-1(D) is hereby amended in the manner described below:
- D. Illumination Any sign illumination, including gooseneck reflectors must be designed, located, shielded and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, or to distract the operators of motor vehicle or pedestrians in the public right-of-way. In the case of internally illuminated signs, the sign face must function as a filter for any illumination.
1. ~~Illuminated signs located on a lot adjacent to or across the street from~~ within 120 feet of any residential district dwelling and for which the sign face has a direct line of sight toward windows of such dwelling shall be turned off and not operated no later than one o'clock (1:00) A.M. or when the premises is no longer open to the public, whichever is earlier, and may be turned and operated no earlier than when the premises opens to the public or six o'clock (6:00) A.M., whichever is earlier. Notwithstanding anything herein to the contrary, for businesses which are open to the public 24 hours each day, illuminated signs are not required to be turned off any time the business remains open. For the purpose of this section D.1, the measurement shall be from the face of the sign to the nearest façade of the nearest dwelling. Except as provided in this paragraph, all other signs are not required to be turned off.
  2. Lighting for signs shall be in harmony with the signs' and the project's design. If outside lighting is used, it should be arranged so the light source is shielded from view.
  3. The maximum lighting shall be one-half ( $\frac{1}{2}$ ) footcandle, as measured at the property line reflecting from a white background aimed at the surface of the sign.
  4. All illuminated signs shall be equipped with a safety shut-off switch.

SECTION FIVE: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, either facially or as applied, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the

validity of the remaining portions hereof or any other application under which such provision is deemed permitted.

SECTION SIX: All prior Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this \_\_\_\_\_ Day of \_\_\_\_\_, 2018, at Lincolnshire, Lake County, Illinois.

AYES:

NAYS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Elizabeth J. Brandt, Mayor

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Barbara Mastandrea, Village Clerk

**EXHIBIT A**

**SECTION 12-13-1**

**TEMPORARY SIGNS**

## CHAPTER 13

### TEMPORARY SIGNS

#### SECTION:

#### 12-13-1 TEMPORARY SIGNS

##### A. General Regulations for all Temporary Signs

1. Except as otherwise permitted herein, signs shall be located entirely on property owned or controlled by the owner of the sign and shall be placed a minimum of five (5) feet from the property line.
2. Off-premise temporary signs for owners or tenants in unified commercial/mixed-use developments granted a Planned Unit Development designation shall be permitted, regardless of property ownership, so long as the sign is located within the boundaries of the Planned Unit Development.
3. Up to twenty-four (24) off-premises institutional signs are permitted, provided they are no larger than four (4) square feet in area, no taller than three (3) feet, and are displayed for no longer than twelve (12) days each display period. The display of an off-premises institutional sign shall not result in the diminution of the annual display period otherwise permitted for temporary signs on a given property.
4. No temporary sign may be illuminated.
5. No exposed framing shall be visible on temporary signs. All temporary signs must remain in good condition during the display period. Throughout the display period, corrective action must be taken immediately should there be any problems with the appearance, condition or maintenance of the sign and/or support hardware. Signs in disrepair are subject to removal by the Village.
6. No temporary sign shall extend over or into any street, nor any sidewalk, or other public thoroughfare or right of way a distance greater than four (4) inches from the wall to which it is attached, and shall not be placed or project over any wall opening capable of ingress and egress. No temporary sign shall be erected so as to prevent free ingress to or egress from any door, window or fire escape, nor shall any such sign be attached to any standpipe.

7. Temporary signs shall not be attached to fences, trees, utility poles or permanent signs (except temporary signs may be attached to permanent signs when there is a change of ownership or occupancy).
8. Temporary signs shall not be placed in a position that will obstruct or impair vision or traffic or in any way or manner create a hazard or disturbance to the health and welfare of the general public.
9. Multiple temporary signs located on the same frontage and the same zoning parcel in the Downtown and Corridor Commercial Sign Districts must be separated by 50 feet.
10. All temporary signs shall be removed within five (5) business days following the earlier to occur between (a) the expiration of the applicable display limitation, or (b) the subject of the sign being complete, expired, terminated or abandoned.
11. Any violation of the conditions and restrictions of this section shall result in the loss of forty-five (45) days from the annual maximum duration for the display of a temporary sign. Such penalty shall roll over to the next calendar year if less than 45 days remain in the applicable limitation.

**B. Regulations by Sign District**

1. Temporary freestanding signs, other than banners, are permitted in compliance with the regulations of **Tables 1 and 2** of this Section. For signs in the Residential Sign District, the regulations are divided between signs placed on private property in a yard which does or does not have frontage on an arterial road, including Riverwoods Road and Half Day Road (Illinois Route 22). For properties located in the Residential Sign District with frontage on an arterial road, temporary freestanding signs may be placed on either the front yard or corner side yard, but not both.

**Table 1**

<u>Sign District</u>	<u>Area</u>	<u>Height</u>	<u>Duration</u>
Residential (arterial)	16 sq. ft.	6 ft.	91 Days per display period; Minimum gap of 14 days
Residential (non-arterial)	2 sq. ft.	4 ft.	91 Days per display period; Minimum gap of 14 days
Downtown	20 sq. ft.	6 ft.	120 days per year in total; Not more than 6 separate times; Minimum gap of 7 days
Corridor Commercial	24 sq. ft.	6 ft.	120 days per year in total; Not more than 6 separate times; Minimum gap of 7 days
Office/Industrial	20 sq. ft.	6 ft.	91 days per year in total

**Table 2**

<u>Sign District</u>	<u>Materials</u>	<u># of Signs per Zoning Lot</u>	<u>Permit?</u>
Residential (arterial)	Corrugated Plastic, Wood or Metal	1	No
Residential (non-arterial)	Corrugated Plastic, Wood or Metal	1	No
Downtown	Vinyl, Balloons, Corrugated Plastic, Wood or Metal	2 per frontage	Yes
Corridor Commercial	Vinyl, Balloons, Corrugated Plastic, Wood or Metal	2 per frontage	Yes
Office/Industrial	Vinyl, Balloons, Corrugated Plastic, Wood or Metal	1 per frontage	Yes

2. Temporary signs affixed to the inside of windows are permitted, without a permit, in compliance with the regulations of **Tables 3 and 4** of this Section.

**Table 3**

<u>Sign District</u>	<u>Area</u>	<u>Height</u>	<u>Duration</u>
Downtown	No greater than 25% of the window area <sup>a</sup>	Limited to Only the First Floor	91 days per year in total; Not more than 6 separate times; Minimum gap of 14 days
Corridor Commercial	No greater than 25% of the window area	Limited to Only the First Floor	91 days per year in total; Not more than 6 separate times; Minimum gap of 14 days

<sup>a</sup> “Window area” is defined as a continuous surface comprised of one (1) or more window panes until divided by an architectural or structural element. Mullions are not considered an element that divides a window area. A “window pane” is each discrete piece of glass which is mounted in its own frame.

**Table 4**

<u>Sign District</u>	<u>Placement</u>	<u>Materials</u>	<u>Copy Area</u>
Downtown	Interior	Plastic Decals, Corrugated Plastic, Wood or Metal	2” from the edge of any window pane
Corridor Commercial	Interior	Plastic Decals, Corrugated Plastic, Wood or Metal	2” from the edge of any window pane

3. Temporary signs attached to Village-owned poles and parking lot light poles are permitted to be erected by the owner of such pole in compliance with the regulations of **Tables 5 and 6** of this Section.

**Table 5**

<u>Sign District</u>	<u>Area</u>	<u>Height</u>	<u>Duration</u>
Downtown	8 sq. ft.	The face of the sign may not exceed 15 feet nor be lower than 8 feet	91 days per year in total; Not more than 6 separate times; Minimum gap of 14 days
Corridor Commercial	8 sq. ft.	The face of the sign may not exceed 15 feet nor be lower than 8 feet	91 days per year in total; Not more than 6 separate times; Minimum gap of 14 days

**Table 6**

<u>Sign District</u>	<u>Materials</u>	<u>Copy Area</u>	<u>Permit?</u>
Downtown	Plastic, Canvas	2" from the edge of any window pane	Yes
Corridor Commercial	Plastic Canvas	2" from the edge of any window pane	Yes

4. Temporary freestanding banner signs are permitted in compliance with the regulations of **Tables 7 and 8** of this Section. Banners may not be affixed or attached to a wall.

**Table 7**

<u>Sign District</u>	<u>Area</u>	<u>Height</u>	<u>Duration</u>
Residential	16 sq. ft.	6 ft.	14 Days per display period; Minimum gap of 14 days
Downtown	20 sq. ft.	6 ft.	91 days per year in total; Not more than 14 days for each display period; Minimum gap of 14 days
Corridor Commercial	24 sq. ft.	6 ft.	91 days per year in total; Not more than 14 days for each display period; Minimum gap of 14 days
Office/Industrial	20 sq. ft.	6 ft.	91 days per year in total

**Table 8**

<u>Sign District</u>	<u>Materials</u>	<u># of Signs per Zoning Lot</u>	<u>Permit?</u>
Residential	Vinyl	1	Yes
Downtown	Vinyl	1 per frontage	Yes
Corridor Commercial	Vinyl	1 per frontage	Yes
Office/Industrial	Vinyl	1 per frontage	Yes

5. The duration for the display period for temporary freestanding signs and temporary banner signs shall not be cumulative, but shall be measured concurrently.

## Supreme Court's Sign Case May Require Sign Code Amendments

Friday, June 19, 2015 [Julie Tappendorf](#)

From Ancel Glink blog

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As we noted yesterday, the Supreme Court finally issued its ruling in the sign case involving a local church's challenge to the Town of Gilbert, Arizona's sign regulations. [Reed v. Town of Gilbert, Arizona \(USSCT, June 18, 2015\)](#). In a nutshell, the Supreme Court held that the Town's sign code was a content-based regulation that could not survive the strict scrutiny required by the First Amendment. This case is certain to have an impact on how local governments regulate signage within their community, and is likely to require most communities to review and revise their current sign regulations to bring them into conformity with the Supreme Court's decision.

The facts are fairly straightforward. The Good News Community Church wanted to advertise the time and location of their Sunday services. They did not have a regular site for services, so held them at various locations in or near the Town of Gilbert. To inform the public about the services, they posted 15-20 temporary signs around the Town of Gilbert that included the name of the church, and the time and location of the upcoming service. After the church was cited by the Town for violating the Town's sign code, the church sued the Town, arguing that the sign code violated their freedom of speech rights under the First Amendment. The Ninth Circuit Court of Appeals ruled in favor of the Town and upheld the sign code as a content-neutral regulation. The U.S. Supreme Court disagreed, however, finding the sign regulations content-based.

According to the Supreme Court, a government regulation of speech is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed. Thus, a court must consider whether a regulation of speech "on its face" draws distinctions based on the message a speaker conveys. According to the Court, the Town's sign code is content based on its face because the Town treats temporary directional signs, political signs, and ideological signs (all temporary signage) differently, depending "entirely on the communicative content of the sign." For example, ideological signs (signs communicating noncommercial messages that are not directional political, garage sale, or construction signs) are treated most favorably of the three categories. Political signs, on the other hand, are treated somewhat less favorably (stricter time limits and size restrictions) than ideological signs. And directional signs relating to events are treated even less favorably, with much more restrictive size and time restrictions. In the Court's view, singling out a specific subject matter for differential treatment, as evidenced by the way the Town treated these three categories of signs, is the perfect example of content-based discrimination.

Because the sign code imposes content-based restrictions on speech, they could only be upheld if they can survive strict scrutiny. That means that the Town had to prove that the restriction "furthers a compelling interest and is narrowly tailored to achieve that interest." The Town's two arguments in favor of a governmental interest (aesthetics and traffic safety) were not, according to the Court, a sufficiently compelling reason to treat directional event signs less favorably than other temporary signs. For example, there was no evidence that the type of directional signs placed by the church posed any greater threat to traffic safety than ideological or political signs. There was also no evidence that limiting directional signs but allowing larger ideological signs for a longer period of time would protect the aesthetics of the Town.

The opinion raises a number of questions, including what a municipality can legally do to regulate signs. The majority opinion does not provide much guidance, except to say that its decision "will not prevent governments from enacting effective sign laws." The Court stated that the Town has a variety of "content-neutral" options available to protect aesthetics and traffic safety, such as regulating the size, building materials, lighting, and other aspects of signs that have nothing to do with the sign's message. The Court also noted that the Town could completely ban signs from public property, so long as it is done in an evenhanded manner. What the Town could not do, however, was treat similar signs differently based on the message on the sign.

Justice Alito wrote a concurring opinion, joined by Justices Kennedy and Sotomayor, attempting to provide guidance to local governments as to what type of sign regulations would not be content-based, including the size, lighting, electronic vs. static, location, total number of signs along a roadway, and time limits for signs advertising a one-time event. However, the Town of Gilbert's temporary signs included many of these same regulations, but those were struck down because they differed between categories. Does that mean that a municipality can limit the size of signs, but that limitation must apply to all signs, regardless of type or function?

Justice Kagan also wrote a concurring opinion, joined by Justices Ginsburg and Breyer, acknowledging that many sign ordinances are now in jeopardy due to the Court's decision. Specifically, Justice Kagan noted that a municipality may have to repeal sign exemptions for warning, caution, and similar signs to ensure the code does not discriminate based on the message of the sign. Although Justice Kagan agreed with the majority that the Town of Gilbert's code could not survive strict scrutiny, she cautioned that the broad scope of the majority's ruling will result in striking down other entirely reasonable laws because they simply cannot survive a strict scrutiny review.

So, what does this mean for municipal sign codes? Many, if not most municipalities regulate categories of signs in a way that would subject them to the same content-based analysis used by the Supreme Court to strike down Gilbert's sign code. Political signs are a very good example, particularly in Illinois, where state law prohibits municipalities from restricting the number and time limits for political signs installed on residential property. Does that mean that a municipality must eliminate restrictions on time limits and number of signs for all temporary signs or risk a challenge that it is treating other temporary signs less favorably than political signs? Maybe.

There are plenty of other questions that municipalities will have to answer following this decision, which will certainly impact the way sign codes treat categories of signage with similar characteristics (like temporary signs). It is very likely that most municipalities will need to modify their codes, or risk a challenge that their own codes are unconstitutional.

Post Authored by Julie Tappendorf



## CHAPTER 3

### DEFINITIONS

#### SECTION:

#### 12-3-1 DEFINITIONS

**A-Frame Sign.** Any temporary advertising device ordinarily in the shape of an “A,” or some variation thereof, located on the ground, not permanently attached and easily movable, and usually two-sided. Also called a “sandwich board” sign. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Typical A-frame sign*

**Abandoned or Obsolete Sign.** Any sign which after fifteen (15) days no longer correctly directs or exhorts any person, advertises a business, lessor, owner, or activity or product available on the premises where the sign is displayed.

**Approved Combustible Material.** Any material more than six-hundredths (0.06) inch thickness, which burns at a rate of not more than two and one-half (2½) inches per minute when subjected to the then prevailing American Society for Testing Materials standard test for flammability in sheets of six-hundredths (0.06) inch in thickness.

**Attention Getting Device.** Any pennant, flag, valance, banner, propeller, spinner, streamer, searchlight, balloon, ornamentation, sparkler or similar device designed for the purpose of attracting attention, promotion or advertising.

**Awning.** A structure of canvas, canvas-like or other materials extended over a window or door or over a patio, deck, etc. as a protection from the sun or rain.

**Balloon.** A flexible container, generally made of rubber or mylar, inflated with air and then sealed at the neck, used for decoration.

**Balloon Sign.** A sign comprised of balloons. Displays designed to inflate or move by use of a fan or blower shall be prohibited.

**Banner Sign.** Any temporary sign printed or displayed upon cloth or other flexible material with or without frames.

**Blade Sign or Projecting Sign.** A sign which extends out from a building face or wall so that the sign face is perpendicular or at an angle to the building face or wall. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Blade sign or projecting sign*

**Building.** Anything constructed for the shelter or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.

**Building Face or Wall.** The entire window and wall area of a building in one place or elevation.

**Building Frontage.** The linear length of a building facing the street.

**Building Sign.** A sign lettered to give the name or address of a building itself, as opposed to the name of occupants or services.

**Cabinet Sign.** An internally illuminated cabinet style box sign in which each letter is not individually articulated.

**Canopy.** Any structure, other than an awning, made of cloth, metal, or other material, attached to and deriving its support from the side of a building or structure for the purpose of shielding a platform, stoop or sidewalk from the elements. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Typical canopy sign*

**Classic Sign.** An original sign or a duplicate of an original sign, which is at least twenty-five (25) years old, that possesses unique physical design characteristics and has been determined to be of extraordinary significance to the Village.

**Combustible Material.** Any material which will ignite at or below a temperature of one thousand two hundred degrees Fahrenheit (1,200° F) and will continue to burn or glow at that temperature.

**Construction Sign.** A Temporary Sign which functions to identify a residential subdivision or non-residential developments where the vehicular entrance and/or existing permanent identification sign may be removed, relocated, or hidden due to surrounding construction, which is unrelated to any such development.

**Copy (Permanent and Temporary).** The wording and numbering on a sign either in permanent or removable letter form.

**Copy Area.** The area in square feet of the smallest geometric figure, which encloses the actual copy of a sign. For Wall Signs, the copy area refers to the message, not to the illuminated background.

**Department of Community and Economic Development.** The Department authorized by the Village Manager to administer the provisions of this Title.

**Directional Sign.** Any sign which serves solely to designate the location or direction of an activity, business or event. Directional signs may also identify walkways, parking lot entrances and exits, and features of a similar nature.

**Directory Sign.** A sign located on the exterior of a building which functions to identify the occupants of the building or group of buildings which are divided into rooms or suites used as offices or studios.

**Double-Faced Sign.** A sign constructed to display its message on the outer surfaces of two (2) identical and opposite planes erected at an angle of thirty degrees (30°) or less.

**Electrical Sign.** Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

**Electronic Sign.** Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments. For the purposes of this Code, electronic signs within Ground or Wall Signs are regulated as one (1) of the two (2) following types:

**A. Electronic Display Screen.** A sign, or portion of a sign, that displays an electronic image or video, which may include text. This definition includes television screens, or video panels, whether made of plasma, LED, OLED or other digital projection technology and holographic displays. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Electronic display screen*

**B. Electronic Message Sign.** Any sign, or portion of a sign, that uses changing lights to form a message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Electronic message sign*

**Erected.** This term shall mean attached, altered, built, constructed, reconstructed, enlarged or moved, and shall include the painting of wall signs, but does not include copy changes on any sign.

**Exempt Signs.** Signs exempted from normal permit requirements.

**Externally-Illuminated Sign.** Any sign, any part of which is illuminated from an exterior artificial light source mounted on the sign, another structure or the ground.

**Facade.** The face of a building from grade to parapet in height and from side wall to side wall in width.

**Frontage.** All the property on one (1) side of a street between two intersecting streets measured along the street line, or, if the street is a dead-end, then all the property abutting on one (1) side between an intersecting street and the dead-end of the street.

**Glare.** A distinct light source within the visual field that is sufficiently brighter than the ambient level of brightness to which the eyes are adapted to cause a visual disturbance or nuisance.

**Grade.** The average level of the finished surface of the ground adjacent to the base of the sign.

**Ground Floor.** Any floor that is not more than three (3) feet above or below Grade.

**Ground Sign.** A sign that is attached to a completely self-supporting structure, which is regulated as one (1) of the two (2) following types:

**A. Ground Sign – Monument.** Any sign, other than a double post sign, placed upon or supported by a foundation in the ground independent of any other supporting structure. As distinguished from a Pole Sign, the base of any monument sign must be a minimum of seventy-five percent (75%) or more of the width of the Sign Face that is to be situated upon the base. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Monument sign*

**B. Ground Sign – Double Post.** A sign erected and maintained between two (2) freestanding supports and not attached to any building, but not including a ground monument sign. As distinguished from a ground monument sign, both supports of the sign must be identical in design and structure. This definition includes reference to the illustration of such sign on this page for explanatory, but not limiting, purposes.



*Double post sign*

**Home Occupation Sign.** Any sign indicating an occupation or profession practiced by a person lawfully residing on the premises, which is clearly incidental and secondary to the residential use of the dwelling.

**Identification Sign.** Any sign which functions to identify the legal corporate or registered trade name of a business, an institution, occupant, apartment, residence, school or church, and not advertising any product or service.

**Incombustible Material.** Any material which will not ignite at or below a temperature of one thousand two hundred degrees Fahrenheit (1,200° F) and will not continue to burn or glow at that temperature.

**Individual Letter Sign.** Any sign made of self-contained letters, characters, icons, logos or symbols that are mounted on the face of a building, or on top of or below a marquee. For the purpose of this Title, a change, but not the replacement and repair of any character, icon, logo or symbol of an individual Letter Sign shall be deemed a change to the Sign Face regardless of whether the changed Sign comprises more, less or the same Sign Area.

**Institutional Bulletin Board Sign.** A sign which accommodates manually changeable copy and displays information on activities and events of a Village entity or community-oriented organization.

**Institutional Sign.** Signs erected by a Village entity, a community-oriented organization, religious institution, or public educational facility which advertises an event being sponsored by said entity or organization.

**Internally-Illuminated Sign.** A sign illuminated by a light source, either incandescent, fluorescent, neon or other light that is enclosed by the sign panel(s) or within the sign.

**Lot.** A Zoning Lot, except as the context herein shall indicate a Lot of Record.

**Lot of Record.** A lot shown on a plat properly recorded in the office of the Lake County Recorder of Deeds prior to the effective date of this Code.

**Lot, Zoning.** A parcel of land, at least one (1) lot line of which is a public street line, which is located within a single block, and which is or will be used, developed or built upon as a unit or as a lot within a planned unit development. A zoning lot may or may not coincide with a lot of record.

**Lot Line.** A boundary of a zoning lot.

**Marquee.** Any fixed hood other than a canopy or awning which is supported solely by the building to which it is attached, constructed of metal or other noncombustible material, and includes a sign or advertising announcements regarding entertainment and amusement.

**Master Sign Plan.** A plan that establishes and coordinates the overall sign design of a building or building site in order to provide direction for current and future tenants.

**Menu Board.** A device which functions to list items for sale at a drive-thru restaurant.

**Message, Advertising.** That copy on a sign describing products or services being offered to the public.

**Message, Noncommercial.** That copy on a sign which does not direct attention to a business or to a service or commodity for sale, and is typically of a political, religious, or ideological nature.

**Moving Sign.** A sign or other advertising structure with moving, revolving or rotating parts, or visible mechanical movement of any kind, including wind-activated signs. Clocks are not considered signs with moving parts.

**Nit.** A non-SI (International System of Units) unit of luminance equal to one candela per square meter (1 nit = 1 cd/m<sup>2</sup>) used to measure brightness of an Electronic Sign. For the purposes of measuring nits, a light meter which computes brightness in "luminance" shall be used per the instructions of the specific light meter used.

**Nonconforming Signs.** Any advertising structure or sign which was lawfully erected and continuously maintained prior to such time as it came within the purview of this Title and any amendments hereto, and which fails to conform to all applicable regulations and restrictions of this Title.

**Off-Premise Institutional Sign.** Any sign which directs attention to an event being sponsored by a Village entity or community-oriented organization, but is not located on the premises of such entity or organization.

**Off-Premises Sign.** Any sign which directs attention to a business, service, product or entertainment not sold or offered on the premises on which the sign is located. Also called a "billboard." Off-premises Identification signs in unified commercial/mixed-use developments granted a Planned Unit Development designation shall be permitted, regardless of property ownership, provided such signs are designed as Ground Monument or Ground Double-Post signs.

**Owner.** Any person who is the record title owner of any lot or parcel of land and all duly authorized agents of such owner, beneficiaries of a land trust which is the record owner of any such lot or parcel of land, any purchaser including contract purchasers, any person having a vested or contingent interest in the lot or parcel of land in question, or the legal representatives of any such persons. For the purposes of this Chapter, there shall be a rebuttable presumption that the person to whom tax bills have been sent for the past year, according to the records of the Lake County, is an Owner.

**Parapet or Parapet Wall.** That portion of a building wall that rises above the roof level.

**Pennant Sign.** Any geometric shaped cloth, fabric or other lightweight material normally fastened to a stringer, which is secured or tethered so as to allow movement of the sign.

**Permanent Sign.** A sign attached to a structure or the ground which is made of materials intended for long-term use, such that it is considered a fixture of such structure or property.

**Person.** Includes any individual, firm, partnership, association, corporation, company or organization of any kind, whether for profit or not for profit.

**Pole Sign.** A sign which is supported by one (1) pole extending from the ground.

**Political Sign.** A sign whose function is to draw attention to or communicate a position on any issue, candidate or measure that is the subject of national, state or local debate.

**Portable Sign.** A sign not permanently attached to the ground or a building that includes changeable copy.

**Project Announcement Sign.** A Temporary Sign which functions to identify an upcoming construction project, architect, contractor, builder, engineer and/or tenants related to new residential subdivisions or non-residential buildings and/or developments.

**Real Estate Sign.** A sign erected for purposes of advertising a parcel or building to be available for sale or lease.

**Real Estate Sign Rider.** A sign panel attached to the main real estate sign structure displaying additional items of information.

**Residential Development Sign.** A permanent identification Sign located at major entrances designed to identify a residential subdivision and containing no commercial advertising.

**Roof Line.** The top edge of the roof or the top of the parapet, whichever forms the top line of the building elevation.

**Roof Sign.** Any sign located on or attached to and extending above the roof of a building. For a building with a mansard roof, any sign affixed to the roof but which does not extend higher than the top of the roof shall be designated a wall sign.

**Sign.** Any visual device or representation designed or used for the purpose of communicating a message or identifying a product, service, person, organization, business or event, with the use of words or characters, visible from outside the premises on which such device is located.

**Sign Area.** The entire area of the sign background, including any material or color forming the background used to differentiate the sign from the backdrop or structure against which it is placed.

**Sign Face.** The visible sign proper including all characters and symbols, excluding essential structural elements which are not an integral part of the display.

**Sign Height.** The entire height of the sign, including decorative elements, as measured from grade.

**Sign Structure.** Any structure, or material which supports, has supported or is capable of supporting or keeping a sign in a stationary position, including foundation and decorative covers.

**Street.** A right-of-way dedicated or used as a public thoroughfare or easement that affords primary means of access to contiguous property.

**Structure.** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Without limitation on the foregoing, a structure shall include buildings, fences, walls, billboards and signs.

**Temporary Sign.** A sign not intended or designed for permanent display.

**Temporary Advertisement Sign.** A sign advertising a temporary event or product/service and not intended or designed for permanent display.

**Temporary Identification Sign.** A sign cover not intended or designed for permanent display placed over an existing ground sign for a change in building occupancy that results in an immediate need to identify the legal corporate or registered trade of a new occupant.

**Temporary Window Sign.** A sign attached to or placed upon a window or door of a building intended for viewing from the exterior of such a building and not intended or designed for permanent display.

**Under-Awning Sign.** Any sign attached to and mounted under an awning.

**Under-Canopy Sign.** Any sign attached to and mounted under a canopy.

**Variance.** A relaxation of the terms of this Chapter where such relaxation will not be contrary to the public interest and where, due to conditions peculiar to the property and not the direct result of the actions of the owner, a literal enforcement of the Code would result in unnecessary hardship.

**Vehicle Sign.** Any sign that is displayed in or on an automobile, truck, bus, trailer or other vehicle that is being operated or stored in the normal course of business, such as signs indicating the name of the owner or business which is located on moving vans, delivery trucks, retail trucks and trailers, and the like provided that the vehicle is parked and stored in areas appropriate to their use and in compliance with other applicable Village ordinances.

**Village.** The Village, or Municipality of Lincolnshire, Illinois.

**Wall Sign.** A sign attached to or erected against a façade, the wall of a building or retaining wall with the face in a parallel plane of the wall to which it is attached.

**Window Display.** Any presentation of merchandise along with associated artwork placed behind a window. Window displays are not considered signs.

**Window Identification Sign.** A window sign that identifies the legal corporate name or registered trade name of the entity therein.

**Window Sign.** Any sign located within a building interior that is intended for viewing from the exterior of such a building.

**Window Wrap.** A non-advertising design element comprised of a film or acetate bonded to the interior of a window that depicts either images that incorporate the exterior design elements/style of the building on which the window is located, or provides a graphic representation of elements of the business within. Lettering and company logos are prohibited.

## CHAPTER 8

### SIGN CONSTRUCTION AND DESIGN: GENERAL STANDARDS

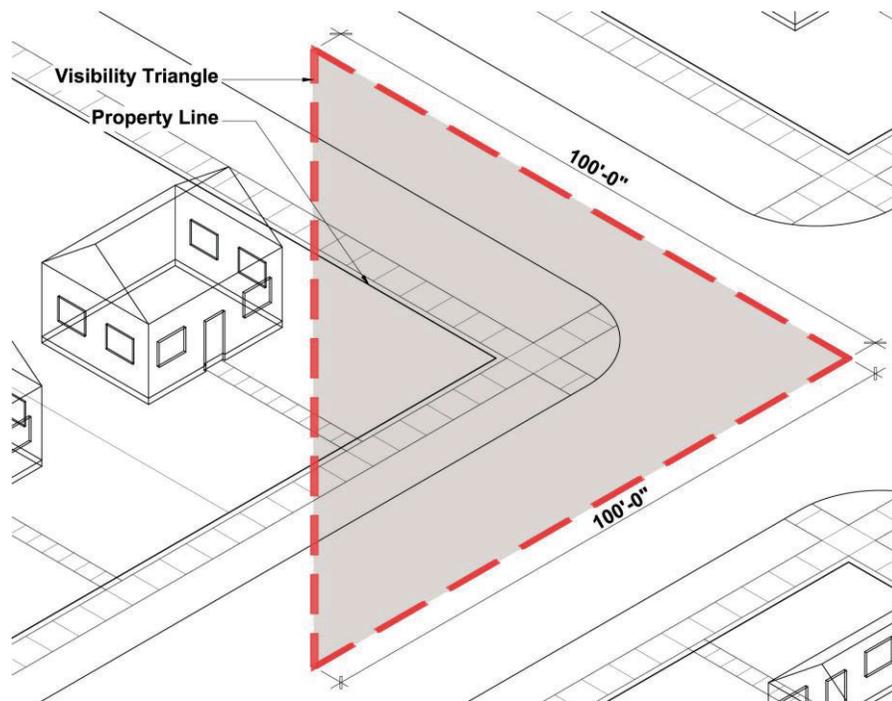
#### SECTION:

#### 12-8-1 SIGN CONSTRUCTION AND DESIGN: GENERAL STANDARDS

The following standards apply to all signs, unless specifically noted otherwise.

##### A. Location

1. Only signs placed by federal, state and/or local government may be erected upon public property, including but not limited to rights-of-way.
2. No sign mounted on the exterior of a building shall cover any windows, doors or any architectural building features.
3. All portions of letters/logo shall be a minimum of three (3) feet from the building edge of any face, roof line, ground line or floor/ceiling/roof/wall lines which separate individual tenant spaces.
4. On a corner lot, no freestanding sign over two (2) feet tall may be placed within the visibility triangle. The visibility triangle is an area with one (1) point at the intersection of the intersecting streets' centerlines, and the other two (2) points located on each street's centerline one-hundred (100) feet away from the intersection of said centerlines. The clear sight area is illustrated below.



*Illustration of vision triangle for 12-8-1-A-4*

## **B. Sign Structure and Installation**

Supports and braces shall be an integral part of the sign design. Angle irons, chains or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

## **C. Wind Pressure and Direct Load**

All signs must be designed and constructed to receive dead loads and withstand a wind speed of no less than ninety (90) miles per hour.

## **D. Illumination**

Any sign illumination, including gooseneck reflectors must be designed, located, shielded and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, or to distract the operators of motor vehicle or pedestrians in the public right-of-way. In the case of internally illuminated signs, the sign face must function as a filter for any illumination.

1. Illuminated signs located on a lot adjacent to or across the street from any residential district shall be turned off and not operated between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M., unless the premises on which or for which the sign is specifically operating is engaged in the operation of its business later than eleven o'clock (11:00) P.M., in which event, the sign shall not be operated past the hour of one o'clock (1:00) A.M.
2. Lighting for signs shall be in harmony with the signs' and the project's design. If outside lighting is used, it should be arranged so the light source is shielded from view.
3. The maximum lighting shall be one-half ( $\frac{1}{2}$ ) footcandle, as measured at the property line reflecting from a white background at the surface of the sign.
4. All illuminated signs shall be equipped with a safety shut-off switch.

## **E. Landscaping**

All Ground Signs must be landscaped at the base of the sign in accordance with the following:

1. For every one (1) square foot of gross sign area, there shall be provided a minimum of two (2) square feet of landscape area.
2. The sign landscape plan must be drawn to scale, and shall show the dimensions of the proposed landscape area. The sign landscape plan shall provide a species list which includes the common and scientific name, size, quantity, and period of flowering (annuals and perennials), for all proposed plant material.
3. The sign landscape plan will utilize a variety of plant types including, but not limited to; deciduous and evergreen shrubs, annual and perennial plants and grasses, and ground covers, to achieve both height variation and color interest throughout the four seasons. Ground signs must be landscaped with small shrubs a minimum of eighteen (18) inches in height at planting. The remainder of the landscaped area must be planted with perennials or other groundcover.

4. To provide diversity, at least two (2) different types of plant material must be installed, excluding turf and annual flowers, provided that at least one plant type shall consist of evergreen shrubs or groundcovers. If evergreen shrubs or groundcovers are not used at all, at least three (3) different types of plant material must be installed, one of which may be annual flowers.

If any portion of the required planting area is located less than fifteen (15) feet from the edge of the street, that portion shall be exempt from the evergreen requirement and shall include a minimum of two (2) different types of plant material, one of which may be annual flowers.

5. In addition to the plantings described above, the sign landscape plan shall also include soil protection such as, but not limited to, ground cover plants or organic hardwood mulch. However, no more than twenty-five percent (25%) of the total landscape bed may be void of plants at any one time.
6. All landscaping must be maintained in good condition, and free and clear of rubbish and weeds.
7. Sign landscaping must conform to the requirements of this section within one (1) year after the effective date of this Code.

#### **F. Glass**

Any glass forming a part of any sign shall be safety glass with a minimum thickness of one-fourth (1/4) inch.

#### **G. Lettering**

All letters, figures, characters or representations, in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign must be safely and securely built or attached to the sign structure.

#### **H. Items of Information**

1. All signs must limit the number of items of information on any single sign face to no more than two (2) items to prevent traffic hazards for passing motorists and to minimize the cluttered appearance of signs.
2. Each descriptive or identifying word, set of words, icon, logo, symbol or image on a sign shall be defined as an "item of information". For example, but not in limitation thereof, each of the following would be one (1) item of information: (a) the name of the business, even if multiple words, or (b) the business logo. The street number address of the business is not counted as an item of information. A company catchphrase or motto may be included on a sign only if it is a part of the legal name of a business. Products, services, telephone number, or a website address shall not be permitted as part of the Copy on a sign unless it is part of the legal name of a business. The display of either a website address or telephone number shall be permitted on Temporary Advertisement/Promotional and Institutional Signs, and such copy shall not count as an item of information for such signs. The prohibition against displaying the names of products or services shall not apply to Awning/Canopy Signs and Temporary Advertisement/Promotional Signs.



*Illustration of number of items of information for 12-8-1-H-2*

3. Changeable message signs where the items of information are changed manually or electronically, only as expressly permitted by other sections of this Title, are counted as one (1) item of information.
4. All signs on a zoning lot must be related to the resident or business located on such zoning lot, with the exception of non-commercial or political signs.
5. Ground signs for commercial developments with multiple tenants that advertise the names of the tenants located within the development are limited to one (1) item of information per tenant. Ground signs for multi-tenant developments shall have a total limit of four (4) items of information. The name of the multi-tenant development shall not be included as an additional item of information.
6. Directory signs are exempt from the items of information limitation.

#### **I. Maintenance**

1. All signs shall be kept and maintained in a safe, neat and orderly condition and appearance.
2. The owner and/or lessee of each sign shall maintain such sign to prevent corrosion or deterioration caused by the weather, age or any other condition, and otherwise to keep the same in a safe, neat and orderly condition and appearance.

#### **J. Design Criteria**

The purpose of these design criteria is to establish a checklist of those items relative to signs that affect the aesthetics of Lincolnshire's environment. Pertinent to signs is the design of the sign and its relation to buildings, structures, planting, street furniture and the distance to the nearest public street.

The following criteria are not intended to restrict imagination, innovation or variety, but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the Village, preserve property values and promote the public health, safety and welfare.

1. Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.
2. Sign materials, size, color, lettering, location and arrangement shall be an integral part of site and building design.
3. The colors and materials of every sign shall be restrained and harmonious.

4. The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's principle message, and shall be composed in proportion to the area of the sign face. Text should be kept to permitted items of information.
5. Supports and braces shall be an integral part of the sign design. Angle irons, chains or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

**K. Sign Face to be Smooth**

Any sign, other advertising structure, marquee, canopy or awning, as defined in this Title, which is within ten (10) feet of a street, shall have no nails, tacks, wires or other hazardous projections protruding therefrom.

**L. Copy Area Appearance**

The Copy on any sign must be legibly and professionally rendered on a suitable contrasting background, which enhances the visibility of the Copy and is consistent with the design criteria described herein.

**CHAPTER 11**  
**PROHIBITED SIGNS**

**SECTION:**

**12-11-1 PROHIBITED SIGNS**

It is unlawful to erect or maintain any of the following signs:

- A.** Signs which emit sounds including, but not limited to, voice, music, and similar methods of advertising.
- B.** Any sign which is wholly or partially illuminated by flashing, blinking, or intermittent lights or other means not providing constant illumination, including strobe lights, spotlights and floodlights. A sign whereon the time and/or temperature is indicated by intermittent lighting shall be deemed to be a flashing sign.
- C.** Moving signs. No sign or part of any sign shall move or give the illusion of movement in any manner.
- D.** Banners, bunting, pennants and items of a similar nature, not including those permitted in accordance with this Title.
- E.** Roof signs.
- F.** Signs of an obscene nature.
- G.** Signs which are not erected, placed or located by a governmental entity and that constitute a traffic hazard, including those signs that:
  - 1.** Obstruct free and clear vision at any street, intersection, parking lot entrance or exit, or driveway.
  - 2.** Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal or device because of its position, shape or color, including signs illuminated in red, green or amber color to resemble a traffic signal.
  - 3.** Make use of the words STOP, LOOK, DETOUR, DANGER or any other word, phrase, symbol or character in a manner that misleads, interferes with, or confuses traffic.
- H.** Signs which obstruct the use of driveways, doors, windows, fire escapes, or any such opening intended to provide access or egress for any building or structure.
- I.** Off-premise or billboard signs, except as permitted in Section 12-3-1 as part of a Master Sign Plan.
- J.** Any goods, wares, or merchandise suspended from, the exterior of any building or structure.
- K.** Ground signs, wall signs and directional signs erected in any residential district, except as defined in this Title.

- L.** Internally illuminated cabinet style ground and wall signs in which each letter is not individually articulated.
- M.** Signs on fences, trees, or utility poles, which are not required by State or Federal law.
- N.** Signs consisting of a cluster or series of lights, except on such clocks and weather gauges as may be authorized by other sections of this Title.
- O.** Home occupation signs.
- P.** Pole type signs, temporary or permanent.
- Q.** Attachments to any advertising structure or real estate sign.
- R.** Signs composed of exposed neon tubing, Electronic Display Screens, Electronic Message Signs, and similar technologies unless otherwise permitted by a Planned Unit Development or Master Sign Plan.
- S.** Temporary wall signs.
- T.** Window signs for office buildings.

## CHAPTER 12

### EXEMPT SIGNS

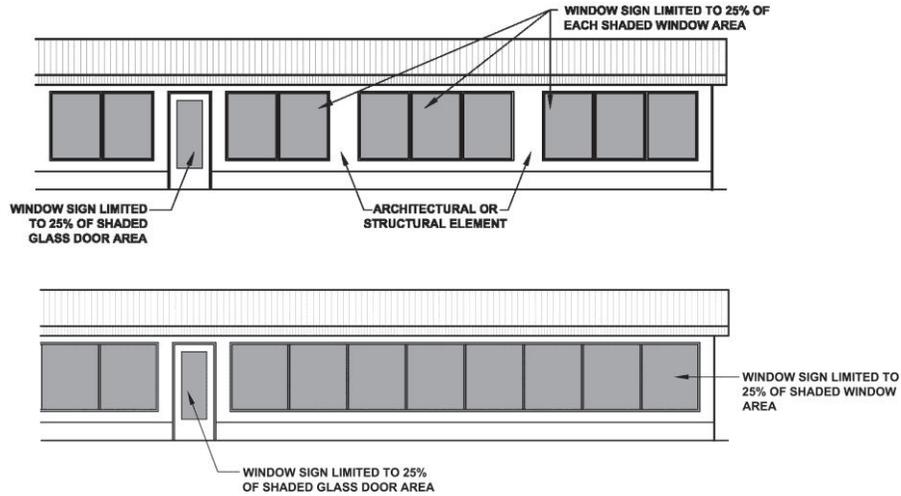
#### SECTION:

#### 12-12-1 EXEMPT SIGNS

The provisions and regulations of this Title shall not apply to the following signs; however, said signs shall be subject to the provisions of Section 12-10-1.

- A. Decorations and traditional lighting schemes displayed in connection with civic, patriotic or religious holidays.
- A. Directory signs no more than six (6) square feet in surface area.
- B. Institutional Bulletin Board. One (1) bulletin board sign with a Sign Area not more than twelve (12) square feet not to exceed a maximum height of six (6) feet for a place of worship, library, school or other public building, provided such sign shall be located on the same zoning lot as the principal building.
- C. Miscellaneous information signs. The following types of miscellaneous information signs shall be exempt from sign permit requirements:
  - 1. Matter appearing on newspaper vending boxes.
  - 2. Matter appearing on or adjacent to entry doors such as PUSH, PULL, OPEN and/or CLOSED.
  - 3. Matter appearing on display windows or doors denoting hours of operation, credit cards accepted, and similar information.
  - 4. Information pertaining to the operating instructions, name or logo of vending machines and automatic teller machines. Such signs shall not exceed thirty (30) percent of that portion of the machine upon which the sign is placed and shall appear on only one (1) of its faces.
- D. Official federal, state or local government traffic, directional and informational signs and notices issued by any court, person or officer in performance of a public duty or any other sign that is required to be posted by any government agency, including but not limited to signs described in the Manual on Uniform Traffic Control Devices, the Illinois Vehicle Code and the Illinois Highway Code.
- E. Plaques or tablets, denoting names of buildings and date of erection cut into any masonry surface.
- F. Political signs are permitted only on private property and require consent of the property owner. Signs may be double-sided and shall be limited to six (6) square feet in area per side and a maximum height of four (4) feet.
- G. Residential street and/or house signs not exceeding one and one-half (1½) square feet in area, which are limited to address information.

- H. Signs placed or painted on parked vehicles for the sale of the vehicle. Signs for sale vehicles must be located on the owner's premises and only one (1) such sign may be displayed regardless of the number of vehicles for sale.
- I. Signs warning of construction, excavation or similar hazards so long as the hazard exists.
- J. Signs placed by utilities to show the location of underground facilities.
- K. The following alteration and maintenance operations are exempt from sign permit requirements:
  - 1. Changing of the advertising copy or message on an existing changeable copy sign or similar approved sign, whether illuminated or non-illuminated.
  - 2. Painting, repainting, cleaning, changing permitted items of information, or other normal maintenance and repair of a sign, not involving structural changes or changes in the electrical components of the sign.
  - 3. Subject to the sign owner's consent, a noncommercial message of any type may be substituted, in whole or in part, for any commercial message or any other noncommercial message provided that the sign structure or mounting device is permitted without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within the Title. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.
- L. Warning sign. Warning signs, such as "no trespassing," "beware of dog," "no solicitation", etc., each not more than one (1) square foot in size and not to exceed two (2) per zoning lot.
- M. Umbrella signs may display only the name and logo of the business operating on the premises where the umbrella signs are located. Umbrella signs shall be of a color and appearance that is harmonious with the color and appearance of the business to which they belong.
- N. Window signs for permanent display are permitted in the Downtown and Corridor Commercial Sign Districts, subject to the following standards.
  - 1. Window signs affixed to, on the inside of, or within the interior of a window shall occupy no more than twenty-five percent (25%) of the surface of each window area and be located at least six (6) inches from the edges of any individual window area. "Window area" is counted as a continuous surface comprised of one (1) or more window panes until divided by an architectural or structural element. Mullions are not considered an element that divides a window area. A "window pane" is each discrete piece of glass which is mounted in its own frame.



*Illustration of window sign area 12-12-1-O-1*

2. One (1) window sign shall be permitted for each facade of a building or tenant space that faces a street which includes a display or decorative window, or parking lot where there is a customer entrance or shared customer entrance for multi-tenant commercial development.
3. Permanent window signs shall be designed to read as individual letters, with the exception of logos, which may read as a single item. A company catchphrase or motto may be included on a window sign only if it is a part of the legal name of a business. Products, services, telephone number, or a website address shall not be permitted as part of the Copy on a window sign unless it is part of the legal name of a business. Individual letters and logos may be carved, etched or raised, and must be of a material that is compatible with the architectural style of the building. Logos may also be constructed of a hard synthetic material.
4. Permanent window signs are not limited by color, except for second floor window signs which shall be limited to white, black, silver, or gold and only one color shall be consistently used on the second floor windows per development.
5. No window sign shall be located above the second floor of a building or tenant space.
6. Window signs that are directly attached to the interior of a window surface shall have professionally designed lettering or decals. All other window signs shall have a flexible or hardened backing, of a minimum one-eighth (1/8) inch thickness. No sign shall be affixed directly to the exterior of a window surface, unless otherwise permitted by Section 12-12-1.

7. Any sign located within a building interior that is intended for viewing from the exterior of such a building is considered a window sign.
  8. No sign may be attached to, placed upon or printed on the exterior of a window or door of a building.
- P. Window Wrap.** Window Wrap is permitted for a full window dimension for windows looking into areas where the public is not invited or at blank walls.
- Q. A-Frame Sign.** A-Frame signs shall have a maximum height of three (3) feet and a maximum sign area of six (6) square feet per sign face and may be double-sided. Signs shall be located on the nearest sidewalk no further than ten (10) feet from a public entrance to the said business with in the Downtown and Corridor Commercial Sign Districts. The sign must maintain a 3' clearance on either side to maintain accessible pedestrian access. The signs shall be professionally fabricated, be constructed with wood or metal frames, and contain either a blackboard or poster inserts for the advertising message, The sign shall only be displayed during normal business hours and must be removed at the close of each business day. The sign shall not be displayed in conjunction with other temporary signs for the same business.
- R. Carry-Out Sign.** Parking lot signs designating specific parking spaces for patrons receiving carry-out or to-go orders from food establishments shall be displayed on a single rectangular panel not to exceed 18" in length and 12" in width and shall be no taller than 6 feet (6') in height. No more than 2 carry-out signs shall be allowed per food establishment occupying less than 5,000 square feet of building area and not more than 3 such signs shall be permitted per food establishment occupying 5,000 square feet of building area or more. Food service establishments which operate primarily on carry-out service shall be permitted up to 3 carry-out signs, subject to approval by the Zoning Administrator, based on the availability of long-term parking for patrons of other occupants of the retail center, if any.

## CHAPTER 13

### TEMPORARY SIGNS

#### SECTION:

#### 12-13-1 TEMPORARY SIGNS

##### A. General Regulations for all Temporary Signs

1. Except as set forth in Paragraph B, a temporary sign shall require a permit from the Department of Community and Economic Development, as identified in Sec. 12-4-1 (Sign Permits). The fee shall be paid upon the issuance of a permit for a temporary sign as prescribed in the Comprehensive Fee Schedule as set forth in Chapter 15 of Title 1 of this Code. Any charitable organization may file an application with the Village for a waiver of fees imposed by the Village as per section 5-3-2(A) of the Village Building Code.
2. Temporary signs shall be displayed for a maximum of ninety (90) calendar days and not more than five (5) times per calendar year, with a minimum fourteen (14) calendar day period between the issuance of a subsequent temporary sign permit.
3. Except as set forth in Paragraph B, temporary signs shall not exceed twenty (20) square feet in area and six (6) feet in height above the ground surface. Signs shall be located entirely on private property and shall be placed a minimum of fifteen (15) feet from the back of the adjacent curb/edge of pavement.
4. Temporary signs on multi-tenant properties shall be limited to a maximum of two (2) at any one time and shall be placed a minimum of fifty (50) feet from any other temporary sign.
5. Any sign listed in Section 12-11-1 (Prohibited Signs) is prohibited.
6. Temporary off-premises signs are prohibited, except as set forth in Paragraph B.
7. No temporary sign may be illuminated, except as set forth in Paragraph B.
8. No exposed framing shall be visible on temporary signs. All temporary signs must remain in good condition during the display period. Throughout the display period, corrective action must be taken immediately should there be any problems with the appearance, condition or maintenance of the sign and/or support hardware.
9. No temporary sign shall extend over or into any Street, nor any sidewalk, or other public thoroughfare or right of way or a distance greater than four (4) inches from the wall to which it is attached, and shall not be placed or project over any wall opening. No temporary sign shall be erected so as to prevent free ingress to or egress from any door, window or fire escape, nor shall any such sign be attached to any standpipe.
10. Certain types of temporary signs are controlled by the provisions of Section 12-12-1 (Exempt Signs). Those temporary signs not listed in Section 12-12-1 are controlled by these provisions.

11. Except as expressly permitted in Subsection B, temporary signs shall not be attached to fences, trees, utility poles, permanent ground signs or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in any way or manner create a hazard or disturbance to the health and welfare of the general public.
12. Any violation of the conditions and restrictions of this section, including failure to procure a valid permit for erected signage, shall result in the loss of forty-five (45) days from the annual maximum duration for a temporary promotional sign permit. Should the violation occur after forty-five (45) days have been utilized in a calendar year, then the loss of forty-five (45) days shall apply to the next calendar year.
13. Temporary signs not immediately removed after the conclusion of the advertised event shall be subject to the provisions of Section 12-10-1.

## **B. Regulations by Temporary Sign Type**

Temporary signs must comply with the regulations contained in Paragraph A (General Regulations for all Temporary Signs) above and the following:

### **1. Project Announcement Signs**

One (1) Project Announcement sign made of wood with an overall height of seven (7) feet located twenty (20) feet from the edge of pavement and twenty (20) feet from an adjacent property line shall be permitted for residential subdivisions and non-residential developments. Project Announcement signs shall be professionally designed and painted in natural colors compatible with the primary structure on the property or adjacent property. One (1) two-sided sign per development frontage may be displayed. Project Announcement sign(s) must be immediately removed upon the issuance of the first certificate of occupancy or if construction is suspended for a period exceeding one hundred and eighty (180) calendar days.

- a. In the Residential Sign District one (1) project sign no more than sixteen (16) square feet in surface area for a development of less than five (5) acres.
- b. In the Residential Sign District one (1) project sign no more than thirty-two (32) square feet in surface area for a development of more than five (5) acres.
- c. In the Downtown, Corridor Commercial, and Office/Industrial Sign Districts, one (1) project sign no more than sixteen (16) square feet in surface area for lots less than or equal to two (2) acres.
- d. In the Downtown, Corridor Commercial, and Office/Industrial Sign Districts, one (1) project sign no more than fifty (50) square feet in surface area for lots greater than two (2) acres.

### **2. Construction Signs**

One (1) Construction sign made of wood no more than twenty (20) square feet, with an overall height of six (6) feet, located fifteen (15) feet from the edge of pavement and fifteen (15) feet from an adjacent property line shall be permitted for residential subdivisions and non-residential developments. Construction signs may be located on the nearest reasonable adjacent off-premises property, provided construction work prohibits locating the sign on the property for which the sign is identifying. Construction

sign(s) must be immediately removed upon the restoration of the primary vehicular entrance or the completion of construction, whichever occurs first.

- a. Construction signs shall be professionally designed and painted to display only the name of the development in no more than two (2) natural colors compatible with the primary structure on the property or adjacent property. No logos shall be used to identify the development.
- b. One (1) two-sided sign per development frontage may be displayed.
- c. Construction signs may be externally illuminated only, subject to the authorization of the Department of Community and Economic Development.
- d. Signs designating a construction entrance, no trespassing and other reasonable messages related to the development of the site shall be limited to two (2) square feet in area and a maximum height of four (4) feet

### **3. Institutional Signs**

- a. Temporary institutional signs shall not exceed four (4) square feet in area and shall not exceed a height of three (3) feet when located off the premises of the institution which advertises the event and may be located within the right of way.
- b. Institutions may display temporary signs a maximum of five (5) times per year. During each display period no more than twenty-four (24) signs may be displayed per institution.
- c. Temporary off-premises signs shall be displayed no more than seven (7) days prior to the start of the advertised event.

### **4. Informational Banners**

- a. Banners shall not be more than eight (8) square feet in surface area and shall not exceed a height greater than four (4) feet. Banners shall be hung not less than fifteen (15) feet above grade, or the minimum height necessary to allow the flow of vehicular or pedestrian traffic, whichever is less. Banners shall include one (1) of the following:
  - i. Banners affixed to, or erected on, Village property on the public way, which identify a geographic business area within the Village, and represent said geographic business area.
  - ii. Parking lot orientation banners in commercial center parking lots with a minimum of 250 parking spaces.
  - iii. Banners of a community-oriented nature that promote Village-wide events or themes and preserve the public health, safety and welfare of the Village.
- b. If the purchase of individual banners is funded by individual sponsors, the name of the sponsor may appear in no more than the lower twenty-five percent (25%) of the surface area of the banner, while no less than the top seventy-five percent (75%) of the surface area of the banner shall identify the subject general business area. Alternatively, a banner may be permitted if the design meets the image standards of

the district in which it is located, according to review and approval by the Architectural Review Board.

- c. Such banners are not subject to any other regulations in this Title, except as set forth in this Paragraph. The installation of such banners on the public way shall be subject to the requirements of the Village for the placement of objects in the public way.
- d. The Village reserves the right to require removal of such banners from the public way at any time including, but not limited to, those times when the Village deems it reasonably necessary to remove the banner for maintenance of the public way.

## **5. Real Estate Signs**

Real estate signs are permitted without a Sign Permit and shall specifically advertise the sale, rental or lease of the premises upon which said signs are located shall be placed on said premises only and must be removed immediately upon the sale, rental or lease of the subject premises. Attention getting devices of any kind, as defined in this Title, shall not be permitted on real estate signs.

- a. One (1) sign is allowed for each zoning lot, except any lot with more than one (1) frontage may have two (2) signs, one (1) displayed on each frontage.
- b. Residential real estate signs, including Real Estate Sign Riders, shall not exceed six (6) square feet in area, and shall not exceed six (6) feet in height.
- c. Commercial real estate signs may be double sided and shall not exceed sixteen (16) square feet in area and shall not exceed seven (7) feet in height.
- d. A sign indicating the location of the sales office for a real estate development shall be limited to four (4) square feet in area and a maximum height of four (4) feet.

## **6. Open House Signs**

Open house signs are permitted without a Sign Permit and shall only be displayed during daylight hours and at those times when the open house is in progress.

- a. Open house signs shall not exceed four (4) square feet in area per side and four (4) feet in height, to the highest part of the sign, for any dwelling offered for sale by any person.
- b. Open house signs may be displayed only on Wednesdays, Saturdays and Sundays and for a period of time not to exceed six (6) hours per day.
- c. One (1) sign is allowed for each zoning lot, except any lot with more than one (1) frontage may have two (2) signs, one (1) displayed on each frontage.
- d. Off-premises directional signs may be displayed in the right of way; provided, that no portion of the sign is within five (5) feet of any roadway. Off-premises directional signs are limited to the minimum number required to direct motorists from the closest major arterial street. Attention getting devices of any kind, as defined in this Title, shall not be permitted on open house signs.

## **7. Rummage Sale or Garage Sale Signs**

Rummage sale or Garage Sale signs are permitted without a Sign Permit and shall be displayed only on the premises where the garage sale is occurring.

- a. Only one (1) sign is allowed for any rummage or garage sale, except for any lot or parcel with more than one (1) frontage may have two (2) signs one (1) displayed on each frontage.
- b. Rummage sale or garage sale signs shall not exceed four (4) square feet in area and four (4) feet in height.
- c. Off-premises directional signs shall only be displayed between the hours of 7:00 a.m. and 6:00 p.m. on the days when the garage sale is being conducted and may be located in the right of way; provided that no portion of the sign is within five (5) feet of any roadway. Off-premises directional signs are limited to the minimum number required to direct motorists from the closest major arterial street.

## **8. Temporary Advertisement Signs**

- a. Temporary promotional and advertisement signs shall be professionally fabricated of a rigid or semi-rigid material, such as wood or corrugated plastic, with a message printed or permanently applied directly onto the hard surface of the sign. Temporary signs shall contain a panel and two supporting posts. Signs shall have a maximum of 1:2 width to length or length to width ratio.
- b. All promotional and advertisement signs of a temporary nature must be located on the premises of the event.
- c. Each permit holder shall be limited to one (1) temporary sign per street frontage per promotional or advertised event.

## **9. Temporary Identification Signs**

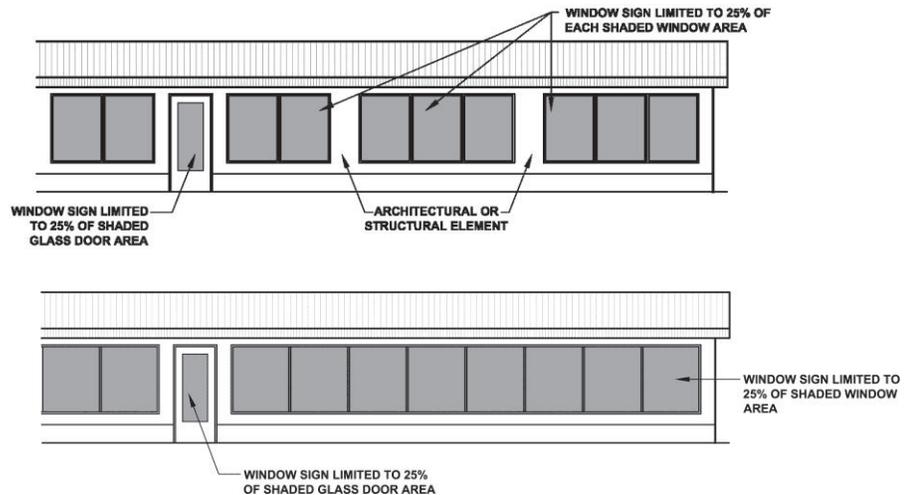
Temporary identification signs are permitted for non-residential developments whenever a change in occupancy occurs that results in an immediate need to identify the new occupant.

- a. Temporary Identification sign covers shall be professionally designed and painted in no more than two (2) colors compatible with the primary structure or the existing ground sign on the property.
- b. Sign covers may be constructed of vinyl, aluminum or wood, and shall only cover the existing permanent ground sign for a period not to exceed one hundred and twenty (120) calendar days. No such cover shall be permitted to increase the existing ground sign area or sign structure area.
- c. The items of information shall be limited to the provisions of Section 12-8-1(H).
- d. Sign covers shall be securely attached to the existing permanent identification ground sign to maintain a safe, neat and orderly condition and appearance.

## 10. Temporary Window Signs

Temporary window signs are permitted without a Sign Permit and shall be exclusively located within the Downtown and Corridor Commercial Sign Districts.

- a. Window signs affixed to, on the inside of, or within the interior of a window shall occupy no more than twenty-five percent (25%) of the surface of each window area and be located at least six (6) inches from the edges of any individual window area. "Window area" is counted as a continuous surface comprised of one (1) or more window panes until divided by an architectural or structural element. Mullions are not considered an element that divides a window area. A "window pane" is each discrete piece of glass which is mounted in its own frame.
- b. No temporary window sign shall be located above the first floor of a building or tenant space.



*Illustration of window sign area 12-13-1-B-10(a)*

- c. Temporary window signs are intended to be displayed on a limited basis and shall be removed immediately upon the completion of such temporary event in which the sign is advertising.
- d. Window signs that are directly attached to the interior of a window surface shall have professionally designed lettering or decals. All other window signs shall have a flexible or hardened backing, of a minimum one-eighth (1/8) inch thickness. No sign shall be affixed directly to the exterior of a window surface, unless otherwise permitted by Section 12-12-1.
- e. Any sign located within a building interior that is intended for viewing from the exterior of such a building is considered a window sign.
- f. No sign may be attached to, placed upon or printed on the exterior of a window or door of a building.

## **11. Balloon Signs**

Balloon Signs are permitted without a Sign Permit. Balloon signs shall be displayed in conjunction with a special event, subject to the following conditions:

- a.** Signs comprised of up to 5 balloons comprising an area not exceeding 3 feet in height and 3 feet in width, mounted or floating no higher than 8 feet from grade.
- b.** The balloons shall be displayed during normal hours of operation for the entity displaying the balloons.

Existing Lincolnshire Real Estate Sign Example



Post height - 6'  
Panel area - 6 sq.ft.

Examples of Residential Real Estate Signs - Lake Bluff and Lake Forest (Panel - Up to 2 sq.ft.; Post - Up to 4' in height)

Lake Forest



Lake Forest



Lake Bluff



Lake Bluff



Municipality	Have you amended any regulations of your Temporary Sign Code based on the Reed case? If so, what regulations?	What is the maximum sign display period allowed per calendar year for temporary promotional /advertisement signs?	What is the maximum temporary sign display period allowed per calendar year for temporary residential real estate signs?	Do you allow temporary signs above the 1st floor of a building, regardless of the building use?	Do you allow temporary window signs for office buildings?	Please provide a link to your Sign Code.
Buffalo Grove	No.	60 days.	Residential real estate signs 12 square feet or less are exempt.	Sign code does not address this.	Yes.	<a href="https://library.municode.com/il/buffalo_grove/codes/code_of_ordinances?nodeId=TIT14SICO">https://library.municode.com/il/buffalo_grove/codes/code_of_ordinances?nodeId=TIT14SICO</a>
Carpentersville	No.	No more than 30 consecutive days, and not more than three 30-day periods in any one calendar year.	Maximum one sign at a time, displayed for no more than 45 consecutive days, and no limit on the number of 45-day periods.	Temporary signs attached to building walls in commercial or manufacturing zoning districts are limited to a height of 30 feet from finished grade adjacent the wall to which the sign is attached. No height limit in residential zoning districts.	Yes.	See Chapter 16.40 within the Carpentersville Municipal Code, which is available at the following link. <a href="https://library.municode.com/il/carpentersville/codes/code_of_ordinances">https://library.municode.com/il/carpentersville/codes/code_of_ordinances</a>
Grayslake	No.	14 days.	14 days.	Yes.	Yes.	<a href="https://library.municode.com/il/grayslake/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.28SICO_15.28.090SIREZOOORCL">https://library.municode.com/il/grayslake/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.28SICO_15.28.090SIREZOOORCL</a>
Lake Zurich	The entire sign code was redone after the Reed case. We didn't find any of our old temp sign regulations to be too content-based, but we did remove regulations on colors.	120 days max per calendar year, however only 30 days at a time.	Real estate signs are exempt from the standard temporary sign regulations. There is no maximum display period, but they must be removed within 5 days of closing.	Temporary signs may be free-standing or wall mounted. Wall mounted temporary signs may not extend past a roof line.	All non-residential uses are permitted temporary signage, however signs placed on the interior of the window are subject to different standards than temporary signs.	See attached.

Municipality	Have you amended any regulations of your Temporary Sign Code based on the Reed case? If so, what regulations?	What is the maximum sign display period allowed per calendar year for temporary promotional /advertisement signs?	What is the maximum temporary sign display period allowed per calendar year for temporary residential real estate signs?	Do you allow temporary signs above the 1st floor of a building, regardless of the building use?	Do you allow temporary window signs for office buildings?	Please provide a link to your Sign Code.
Niles	No.	4 months 6 months for restaraunts.	No restrictions.	No restrictions.	Yes, ground floor only.	<a href="https://library.municode.com/il/niles/codes/code_of_ordinances?nodeld=C_OOR_CH78S!">https://library.municode.com/il/niles/codes/code_of_ordinances?nodeld=C_OOR_CH78S!</a>
Northfield	Not yet.	3 months.	NA. Has to be removed 24 hours after sale.	No.	Yes.	See attached.
Schaumburg	Yes. We amended a number of sections of our sign code, mostly focusing on removing sections specifically indicating "real estate signs" and now label those sections as commercial signs. "Because the Reed case ruling essentially states that municipalities cannot create restrictions for political, ideological and directional signs and so the Village of Schaumburg wanted to ensure compliance and reevaluated its sign code and sign definitions accordingly."	10-day increment for free-standing commercial buildings only; up to 60 days per calendar year. 15-day increment for tenants in shopping centers up to 30 days per calendar year.	For residential areas, our code notes that for real estate signs (what our code now reads as commercial signs on property for sale) must be removed within seven (7) days after the sale or lease of the subject property.	See general conditions 155.60.		
Streamwood	No. We don't regulate content, only placement, size and duration.	30 days/ 4 times per year per zoning lot.	Same.	Same regulations.	Same regulation.	<a href="http://www.sterlingcodifiers.com/codebook/index.php?book_id=392">http://www.sterlingcodifiers.com/codebook/index.php?book_id=392</a>
Wilmette	No.	8 weeks.	Must be removed 7 days after closing or signed lease.	No.	Yes.	<a href="http://library.amlegal.com/nxt/gateway.dll/Illinois/wilmette_il/chapter20zonin_gordinance?f=templates\$fn=default.htm\$3.0\$vid=amlegal:wilmette_il\$sanc=JD_20-16">http://library.amlegal.com/nxt/gateway.dll/Illinois/wilmette_il/chapter20zonin_gordinance?f=templates\$fn=default.htm\$3.0\$vid=amlegal:wilmette_il\$sanc=JD_20-16</a>

Permanent Sign Illumination Survey

October 2017

Municipality	1. Does your code require commercial wall signs and single-tenant and multi-tenant ground monument signs located near residential zoning districts to be completely turned off at a specific time at night?	2. If yes, when are these signs required to be turned off and allowed to be turned back on?	3. Does this requirement apply to 24-hour gas stations and other businesses ?	4. How do you enforce it?	5. Does your code have a maximum light intensity requirement for commercial wall and ground signs?	6. If yes, what is the maximum permitted intensity level in foot candles or lumens?	7. Does your municipality have a tool to measure the intensity?	8. What department enforces it?	9. Comments
Arlington Heights	Yes.	Illuminated signs located on a lot adjacent to or immediately across the street from any residential district shall be turned off at all times between the hours of 11:00 pm and 7:00 am that the business is not in operation.	The requirement does not apply to 24-hour businesses.	Enforcement is generally based on complaints, and there have been very few.	Yes.	250 footcandles maximum, measured with a light meter flush and in contact with the face of the sign.	Yes.	Building Department.	
Barrington	Wall signs in our downtown commercial districts (B-4, B-5) are limited to external illumination or backlit lighting if the sign faces a residential property. There are no regulations for when illuminated signs must be turned off.	N/A.	N/A.	N/A.	Signs may be illuminated only by indirect or internal white light not exceeding 50 foot candles when measured with a standard light meter held parallel to the sign face at a distance equal to the narrowest dimension of the sign face.	50 foot candles.	Yes, a light meter.	Development Services - Planning and Zoning.	
Buffalo Grove	No.		N/A.	N/A.	No.		No.	N/A.	
Des Plaines	No.	N/A.	N/A.	N/A.	Yes- illuminated signs may not exceed 100 footcandles at the sign face. Additionally, all artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of direct light upon adjacent property or streets.	100 footcandles at the sign face.	Yes.	Code Enforcement (which is part of the Community and Economic Development Department).	
Elk Grove Village	Yes.	These signs shall not be operated between the hours of 11pm and 7am unless the premises on which or for which the sign is specifically operating is engaged in the operation of the business; in which event, the sign shall not be operated past the hour of 1am.	Not aware of 24 hour gas station locations.	By complaint.	No however it can not produce glare or cause a nuisance to motorists.		No.	Community Development.	
Glenview	No.				No.		Yes, in footcandles but we do not measure signs.	We do not regulate signage lighting but the Inspectional Services division of Community Development would address other lighting complaints.	
Grayslake	No. Illuminated signs cannot be within 500 feet of any residential structure.				No.			Building Department.	
Highland Park	No.				No.				

Municipality	1. Does your code require commercial wall signs and single-tenant and multi-tenant ground monument signs located near residential zoning districts to be completely turned off at a specific time at night?	2. If yes, when are these signs required to be turned off and allowed to be turned back on?	3. Does this requirement apply to 24-hour gas stations and other businesses ?	4. How do you enforce it?	5. Does your code have a maximum light intensity requirement for commercial wall and ground signs?	6. If yes, what is the maximum permitted intensity level in foot candles or lumens?	7. Does your municipality have a tool to measure the intensity?	8. What department enforces it?	9. Comments
Hoffman Estates	Yes.	Any illuminated sign located within a direct distance of 300 feet (including public rights-of-way, private streets, aisles, etc.) from any residence should be turned off and cannot be operated between the hours of 11:00 p.m. and 6:00 a.m. Wall signs upon the premises for which the sign is intended shall be exempt if the business is open during such hours.	No.	Complaint basis.	No except for Electronic message board/LED Message signs.	ONLY for LED Message Sign - shall not exceed 3,250 NIT's. From dusk to dawn the brightness level shall not exceed 812.5 NIT's.	No.	N/A.	
Palatine	Yes. Any sign adjacent to a residential property shall not operate between 11 PM and 7 AM, unless the business is engaged in business operations during that time. Section 8.01 f (1).	See above.	See above.	Complaint basis.	The illumination must project onto the subject property and cannot spill onto an adjacent property or into the street.	There is not a specific limitation, other than it cannot spill glare onto an adjacent property.	The Engineering Department uses a light meter, but we would require the submission of a photometric plan to demonstrate such.	PZ and Engineering.	This is the link to the zoning ordinance: <a href="https://weblink.palatine.il.us/weblink/0/edoc/2416826/Appendix%20A%20-%20Zoning%20Ordinance.pdf">https://weblink.palatine.il.us/weblink/0/edoc/2416826/Appendix%20A%20-%20Zoning%20Ordinance.pdf</a>
Schaumburg	Yes.	All signs located within one hundred feet (100') of a common residential property line shall be allowed to be illuminated (externally or internally) only during the hours of operations, and shall be turned off within one-half hour after posted closing time of any given day. The location and arrangement of all wall signs and ground signs shall be subject to the review and approval of the director of community development or his/her authorized designee. Monument signs as defined in section 155.11 of this chapter shall be exempt from the illumination regulations under this section. MONUMENT SIGN: A sign which is displayed on a decorative feature of brick, wood, metal or other material, which is intended to serve as an entry feature or focal point.	Yes.	Complaint Basis.	Yes.	In no instance shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination, exceed seventy-five (75) foot-candles when measured with a standard light meter perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign.	Yes.	Community Development Department.	
Streamwood	No.				No.				
Wilmette	Yes.	Midnight to 6:00 am.	No.	Code enforcement on complaint basis. Also noted on issued permits.	Yes.	0.5 foot candles at lot line. Only applies to receiving lot line when located across a street.	Yes.	Community Development.	

**Sign Brightness Inspection w/Light Meter & Drone - All Readings are in Foot Candles  
Conducted by Staff on July 19, 2018**

Sign	Property Location	At Sign Source	10' Distance	30' Distance	Property Line	Notes
Bright Stars Kids University wall sign (south)	Village Green Center	34.9	0.57	0.02	0	Adjacent light pole interference
Half Day Brewing wall sign (south)	Village Green Center	14	0.33	0	0	
Egg Harbor ground sign (Olde Half Day Road)	Village Green Center	2.61	0	0	0	
Village Green multi-tenant ground monument sign (Olde Half Day Road)	Village Green Center	14.4	0.06	0	0	
Athletico wall sign (north)	Oak Tree Corners	61.7	1.7	0	0	
Athletico wall sign (east)	Oak Tree Corners	80	3.3	0.5	0	Monument sign interference
Bonta wall sign (east)	Oak Tree Corners	55	0.88	0.05	0	
Oak Tree Corner multi-tenant ground monument sign (Milwaukee Avenue)	Oak Tree Corners	40	1.2	0	0	
Sport Clips wall sign (east)	Lincolnshire Commons	132	1.3	0.25	0	Wall sconce interference
Lincolnshire Commons multi-tenant ground monument sign (Milwaukee Avenue)	Lincolnshire Commons	13	0	0	0	
Regal Cinema wall sign (east)	CityPark	12	1.2	2.3	0	Light pole interference
CityPark multi-tenant ground monument sign (Milwaukee Avenue)	CityPark	6.8	0.17	0	0	
Lincolnshire Marriott Resort ground monument LED sign (Milwaukee Avenue)	Marriott Resort	111 (highest)	4 (lowest); 18 (highest)	5 (highest)	0 (lowest); 0.7 (highest)	Reading depends on the LED screen slide. The property line reading is approximate as the lot line was not verified
Culver's wall sign (west)	Lincolnshire Marketplace	42	3.7	0.4	0	Wall signs are externally lit from building fixtures
Culver's ground monument LED sign (Milwaukee Avenue)	Lincolnshire Marketplace	62	1.7	0.2	0	



involves the landscape along the spine road and Indian Creek; stating due to grading, sidewalk and flood plain issues they encountered during construction, modifications to the landscape plan are needed. He added their development team met with Village staff and determined the best option is to relocate plants to a more level area and provide shade trees in the sloped area.

In response to question by **Chairperson Kennerley** about the reduction in the sign width, **Michael Mallon** responded the reduction was necessary to accommodate the existing underground utilities and field conditions; they can only fit a 10 foot width sign rather than the originally approved 12 foot wide sign; design features and architectural elements of the sign will remain. **Chairperson Kennerley** questioned why the existing grade along the creek was not taken into consideration during the landscape design stage in which **Michael Mallon** responded the focus was more on the building pad site; not taking into consideration the field conditions along the creek side of the site. **Member Jensen** asked if there was any grading issues along the spine road/creek in which **Michael Mallon** indicated this is in a flood plain and they were limited in what permits would allow them to do.

**Chairperson Kennerley** requested the petitioner address in more detail what landscape items were changed; Kathryn Talty, KL Talty Landscape Design responded. She said the original intent with the shade trees along the northern edge of the spine road was to blend in with existing vegetation, but the grade challenges required relocation to the south end of the spine road and also elimination of two low multi stem trees as well as some ornamental shrubs as they did not fit with the new plan.

**Member Tapia** moved, seconded by **Member Jensen** The Architectural Review Board approve new locations and width for the two center wide ground signs along Milwaukee Avenue and Half Day Road, and a revised landscape plan for the Lincolnshire Marketplace Center at 475 Milwaukee Avenue, as presented in the presentation packet dated January 16, 2018 and as recommended by staff in the January 16, 2018 memorandum with the condition none of the relocated trees shall conflict with the future sidewalk extension that will be constructed during subsequent phases of the development.

In closing, **Michael Mallon** noted the target grand opening date for the Lincolnshire Culvers should be in early March.

- 3.2 A Public Hearing regarding text amendments to various sections of Title 12, Sign Control, of the Lincolnshire Village Code, to revise and clarify requirements for permanent and temporary signs (Village of Lincolnshire).

**Tonya Zozulya, Economic Development Coordinator**, provided some background stating the current code was adopted in June 2009 with recent changes adopted in March 2017. She stated the Village Attorney recommended they look into Sign Code revisions given a 2015 Supreme Court case in Arizona in regards to temporary signs and content neutrality on temporary signs.



**Tonya Zozulya** directed the Boards attention to the Temporary Sign Code-Chapter 13. She noted the Village Board conducted a preliminary evaluation in 2017 and then referred to the Architectural Review Board for public hearing and recommendations and also to take into consideration the Village Attorney recommendations for content neutrality.

In regards to the temporary free standing signs in residential sign districts, **Tonya Zozulya** queried if the Architectural Review Board would consider an increase to the allowable size and duration. **Tonya Zozulya** presented photos of sample real estate signs in residential sign districts. **Chairperson Kennerley** asked what other applications besides real estate signs would there be in residential districts in which **Tonya Zozulya** noted as example church services, holiday bazar or rummage sale signs would be posted between posts/poles and installed on private property. She added the Village Board, in reference to real estate signs, did not want bigger but possibly smaller signs such as 6 square feet in Residential Districts. **Member Jensen** asked if they go smaller on the free standing signs, would temporary banner signs be used in place and is this something the Village wants to have in residential districts. After further discussion regarding size and height of non-banner type signs and poles versus sign frames (a-frame type) on the ground in residential districts;

- The recommendation to staff is to provide some sign samples from Lake Forest and other type of signs in residential districts for further consideration by the Architectural Review Board.

As to temporary signs in business sign districts, there was discussion regarding the proposed duration of 245 days being too long; **Mike McCall** noted it seems like a lot but maybe businesses need time to advertise specials. **Tonya Zozulya** clarified in the proposed changes; the temporary free standing signs could be up for 245 days straight and asked Board Members if they feel this is too generous given the current code allows for only 90 days. She added the Village Board did not have a recommendation on duration. **Chairperson Kennerley** stated 245 days almost makes this a permanent sign.

- There was discussion about proposing 180 days duration for downtown and corridor commercial sign districts; the 180 day limit would be acceptable to the Architectural Review Board.

In regards to temporary free standing banner signs, photos were presented indicating temporary banners being supported by two posts and single pole feather banners. **Tonya Zozulya** stated the Village Board would not approve banner signs on buildings or the single pole feather type sign in which the Architectural Review Board concurred. She added as part of the permit process for temporary signs; specifics such a sign material type (canvas or vinyl) and requiring two support structures to prevent the sign from degrading or sagging. The Architectural Review Board recommends canvas be removed from the proposal; with vinyl being the preferred material. There was discussion about the 91 day total duration; other municipalities have varying durations. **Member Tapia** felt the proposed sizes are huge; **Tonya Zozulya** noted current code



allows 20 square feet and they look large. **Chairperson Kennerley** asked what would prevent real estate signs of this nature up to 16 square feet for 14 days in residential districts to bypass the requirements of temporary free standing signs; this could become a problem; staff to consult attorney on this potential issue.

- **Member Tapia** asked if the banner sizes should be the same as the temporary freestanding signs requirement; this would be discussed with the attorney as well.

In regards to Chapter 8-Items of Information on Signs for Temporary Signs, **Tonya Zozulya** reviewed the current regulations: 2 items of information plus phone or web site address allowed for promotional signs only, the recommendation is to remove the limits on items of information for temporary signs but work within the allowable square footage. She added this code requirement has been the most challenging for staff and businesses. **Member Tapia** agreed with removing the limits on the information as long as they stay within the allowable size parameters. **Adam Letendre, Assistant Village Manager/Community & Economic Development Director** reiterated what the Village Attorney has communicated to staff; we can regulate size, materials, lighting and other aspects which have nothing to do with the sign message. The sample sign for the Gardner School submitted for a “project announcement sign” was viewed as an example by the members; the sign included the schools name, opening soon statement, 2 additional lines of preschool age information and the web site which was denied by Village staff as it exceeded the 2 line limit.

- Members agreed this requirement needs to change and agrees with staff recommendations to remove the current limit on the items of information.

In regards to temporary window signs for office buildings, current code does not allow it on office buildings or above the first floor of all other buildings; staff is recommending removing this prohibition. This would include decals, and would still have to comply with the window covering requirement of not more than 25% of the window area. **Tonya Zozulya** said the prohibition currently applies to office buildings only; noting Northshore University building at 900 Milwaukee wanted to add a window sign, but the Village could not allow. Is this something the Architectural Review Board would consider allowing window signs in office buildings and would they want to add restrictions to height but not going beyond the second floor? She added this is not a frequent request, but wants the Architectural Review Board to discuss it.

- **Chairperson Kennerley** noted with the changes to the temporary free standing banner signs; this should satisfy local office businesses; members agreed and it was the consensus to leave the restriction in place for office buildings.

In regards to the Chapter 8 General Standards for permanent wall and ground sign illumination, **Tonya Zozulya** stated a Lincolnshire resident brought an issue to her attention in regards to the Athletico wall and monument signs on Milwaukee Ave. This resident noted the code states illuminated signs across the street from residential zoned properties, regardless which direction the sign faces, must be turned off between 11 p.m. and 7:00 a.m. unless the business is



open past 11 p.m. in which case it is to be turned off between 1 a.m. and 7 a.m. **Tonya Zozulya** said staff began to research the subject; contacted surrounding communities about their requirements. She added in Lincolnshire, most of our commercial properties are across from residential zoned properties. Deerfield limitations direct commercial properties within 120 feet of residential zones to be regulated. Staff is asking the Architectural Review Board to consider allowing a specific distance separation of 120 feet from the illuminated sign to the nearest residential unit, also, should there be different standards for allowing the signs to be turned on earlier than 7:00 a.m. She further noted upon her request, the Lincolnshire Police Department drove by the commercial centers at approximately 1:30 a.m. in October 2017 and noted the vast majority of the signs were on.

**Chairperson Kennerley** asked if lights could be dimmed versus full power between midnight and 6:00 a.m., not necessarily supporting full turnoff but there was some discussion if all signs in Lincolnshire have such technology. **Member McCall** asked staff to check to see if local hotels are turning off their signs. Member **Tapia** feels lights should be turned off, **Adam Letendre** said enforcement could become an issue. **Tonya Zozulya** noted how the code is currently written; this could affect 99% of the businesses in Lincolnshire.

- After further discussion, the Architectural Review Board directed staff to review with Village Attorney adding a 120 foot distance requirement from façade of nearest residential building and inquire about dimming sign lights; time frame between business closure and the earliest of business opening and to exempt 24 hour businesses.

There being no further testimonies or questions from the Architectural Review Board, **Chairperson Kennerley** closed the public hearing with continuance to Tuesday, February 20, 2018 for further discussion.



the “Champagne” flat material presented tonight, they will have to apply for another minor amendment.

***Member Tapia**, moved, seconded by **Member Orzeske**, the Architectural Review Board moves to approve a Minor Amendment to the Ascension of our Lord Greek Orthodox Church Special Use Permit to permit façade modifications for the church located at 1207 and 24325 Riverwoods Road, as presented in the presentation packet dated March 13, 2018 with the additional notation the dome metal color to be “Champagne” and brick color “Colorado Bluff” as indicated with the sample boards presented tonight.*

*Motion passed unanimously by voice vote.*

- 3.4 Continued Consideration and Discussion of Text Amendments to Various Sections of Title 12, Sign Control, of the Lincolnshire Village Code, to Revise and Clarify Requirements for Permanent and Temporary Signs (Village of Lincolnshire).

**Tonya Zozulya** noted this is a continuation of the public hearing from January 16, 2018 highlighting the following changes requested by the Architectural Review Board and their comments or recommendations on proposed amendment:

1. Not removing the current prohibition against temporary window signs for all-office buildings and above the first floor of all other buildings- the prohibition remains in the current code.
  - **Board Members agreed.**
2. Reduced the display period for free standing temporary signs from 245 down to 180 days total with a maximum request of 6 times per year. **Member McCall** thought 180 was still too long. **Member Orzeske** questioned after the 180 days and the sign is taken down, can they come back a day or two later and get another 180 days; are these really temporary and how would “leasing” signs be treated. **Tonya Zozulya** noted there are real estate signs which have been up for years and were allowed under the current code, but with the “content neutrality” issue, this would no longer be permitted. **Member Orzeske** asked about the furniture business on Milwaukee Avenue in Vernon Hills that puts on outside display the colored Adirondack chairs; **Tonya Zozulya** responded Lincolnshire would treat situation as outside storage which would not be permitted. **Chairperson Kennerley** asked if the Village could put the real estate signs and leasing signs into a separate category from business signs and is 180 too much or reasonable.
  - It was a consensus 120 days should be enough time for business temporary signs. In regards to real estate/lease signs; staff to review options based upon the zoning district not to include residential; those would be separate. **To be further reviewed.**
3. Residential Real Estate signs on non-arterial signs, size to be 2 sq. ft in area by 4’ in height for non-banner signs. Signs on Arterial; size to



- be 16 sq. ft. in area and 6 'in height for non-banner given higher speed limits.
- **Member McCall** stated he is not in agreement with the proposed dimensions for non-arterial residential real estate signs(2 sq.ft in area and 4' in height), they are too small. Board Members said they will look at what is currently out in the field in throughout Lincolnshire and will also wait for staff to come back with samples of residential for sale signs for review. **To be further reviewed.**
4. No dimming requirement. **Tonya Zozulya** noted in her discussion with the Village Attorney and sign companies, dimming of permanent wall and ground signs, industry standards with LED lighting do not allow automatic dimming to a certain percentage of light or intensity level. **Tonya Zozulya** noted she received correspondence from **Mr. Keith McNiff** who resides in the Village Green South who has voiced illumination concerns with her and in writing; noting some of his issues are code enforcement issues. This correspondence has been provided to this board. **Chairperson Kennerley** would like staff to challenge the argument that LED cannot be dimmed, **Member Orzeske** agreed saying it might not be possible with the older signs but the technology should be there and he would send some links of product to staff to review with the Village Attorney.
    - **To be further reviewed.**
  5. Lights Off for permanent signs within the 120' buffer; Village Attorney recommends the turn-off be required at 1 a.m. or one hour after the business closes, whichever is earlier to allow for janitorial and other housekeeping matters and turned back on at the earlier of business opening or 6:00 a.m.
    - **Board members agreed; but** remove the 'turn off requirement of "one hour after the business closes"'.
  6. Exempt 24 hour businesses from the permanent sign turn off requirement if they fall within the 120' buffer. **Tonya Zozulya** noted this Board requested information on local hotels, she said it was determined by a visual survey after 1:30 a.m. the week of January 22<sup>nd</sup> by the Lincolnshire Police Department, all hotel signs were on; exception was Hampton Inn which does not have illuminated sigs.
    - **Board members agreed.**
  7. Banner versus Non Banner doubling up on signs. Village Attorney provided new language to prevent staggering of time period for banner and non-banner temporary signs.
    - **Board members agreed but remove the "for example" paragraph. Should be for staff review purposes only.**
  8. Banner Material; canvas will not be permitted.
    - **Board members agreed.**

Staff will review the Boards concerns, suggestions and return back for further consideration.



- 3.3 Continued Consideration and Discussion of Text Amendments to Various Sections of Title 12, Sign Control, of the Lincolnshire Village Code, to revise and clarify Requirements for permanent and Temporary Signs (Village of Lincolnshire).

**Tonya Zozulya** recapped past meeting dates including the four items the Architectural Review Board requested further research on:

- Chapter 13 – reduce the display period for temporary signs in the downtown and Corridor Commercial Sign District from the proposed 180 days to 120 days. Staff and attorney in agreement; change has been included in the draft ordinance.
- Chapter 13 – create a separate category for real estate signs for all sign districts, with each district having different regulations regarding sign dimension; not limit the display period in any district as long as the property is marketed for sale/lease and consider leaving residential real estate sign dimensions unchanged. **Tonya Zozulya** consulted with the Village Attorney in which he determined by creating a separate category for real estate signage, the Village would be in conflict with the content neutrality premise of the Code. Since a separate category is not advisable, staff is requesting this Board to determine the appropriate dimensions for residential real estate signs on non-arterial streets; citing examples in the packet from other municipalities. Current code allows 6 sq. ft. in area and 6 ft. in height; proposal would reduce it down to 2 sq. ft. in area and 4 ft. in height which is the size allowed in Lake Forest and Lake Bluff. **Member Jensen** said that with current technology, most people are going to do their search on the internet versus driving up and down streets; so this discussion on size may be much less relevant than in the past; adding the smaller signs might be less obtrusive to the neighbors and he would prefer the smaller sign; Member Santosuosso and McCall concurred. There was discussion regarding the length of time real estate sign would be allowed to be up; proposed code states 90 days. **Member McCall** commented that Village staff would have to keep track of this and questioned if this is what we want staff time devoted to; **Member Jensen** said a spreadsheet could help staff with monitoring. After further discussion, there was consensus to go with the proposed code change of 2 sq. ft. in area and 4 ft. in height with the time constraint as proposed. **Tonya Zozulya** added that there will be time to educate the local realtors with the proposed changes.
- Chapter 8 – Develop standards for sign dimming for signs outside a 120 ft. radius. **Tonya Zozulya stated** that staff has talked to many sign companies and the Building Official and it was determined fluorescent and older LED signs cannot be dimmed without modifications. She added without those modifications to allow



dimming; the Village would be making a portion of existing signs non-conforming. **Member McCall** stated his recollection of this portion of the code was to turn the signs off; **Tonya Zozulya** noted that is correct, but other members of this board wanted to look at dimming options. **Acting Chairperson Orzeske** questioned at what time would we required dimming; how many foot candles dimming power would be required. **Member Santosuosso** asked about grandfathering in older signs. There was discussion about engaging the services of a consulting engineer to assist with the development of standards for dimming; **Tonya Zozulya** noted that at this time, there is no budget item for a consulting engineer; staff looking to this board for recommendations on the dimming aspect.

- Chapter 8 – For permanent signs within the 120' buffer, all signs must be turned off at business close or 1 a.m. and turned back on at the earlier of business opening or 6 a.m. Architectural Review Board in consensus on this.

There was discussion on looking into further research on the dimming aspect of the proposed code changes. **Acting Chairperson Orzeske** stated he is not ready to forward this item to the Village Board until the remaining item on dimming is further reviewed and addressed. **Member McCall** stated he knows some contacts in the field that he could reach out to and will provide that to staff.

**Member Jensen, moved by Member McCall** to continue the discussion on Sign Code Revisions to allow more research into the details of sign technology related to dimming to the next available Architectural Review Board meeting.

Motion passed unanimously by voice vote.

#### **4.0 UNFINISHED BUSINESS (None)**

#### **5.0 NEW BUSINESS (None)**

#### **6.0 CITIZEN COMMENTS (None)**

#### **7.0 ADJOURNMENT**

There being no further business, **Acting Chairman Orzeske** adjourned the meeting at 8:25 p.m.

Respectfully Submitted,  
Carol Lustig  
Administrative Assistant, Community & Economic Development Dept.



requirements. The Village Board did review this proposal and were favorable in terms of sign illumination change. **Tonya Zozulya** said she also completed a field review of signs in the immediate area; noting some signs were backlit, some externally and some front lit.

**Kevin Weasler, Culver's Lincolnshire** addressed the Board, stating when they were going through the approval process for Culver's; they did not think the sign design through very well and he takes the responsibility for those design decisions. Recently one night when he looked up at the sign, he said it appeared to be turned off, giving the impression Culver's was closed. He noted other signs along the Milwaukee Avenue Corridor have numerous internally lit signs. He stated their primary goal is to look open and remain competitive for Lincolnshire. He added the sign company can add the tools to dim the sign if needed and will turn the sign off at the close of business each day. He presented sign pictures which indicated the visual difference between the existing and proposed sign. **Member Tapia** stated he noticed the sign one evening and he thought they were closed; other members were in support of the proposed sign change.

**Eric Tapia moved** the Architectural Review Board recommends to the Village Board for their approval of the proposed front-lit illumination for three existing wall signs on the north, south and west elevations on the existing Culver's Restaurant building at 405 Milwaukee Avenue, as presented in the packet submitted by Culver's of Lincolnshire, with the cover letter dated August 29, 2018, subject to staff's recommendation all three wall signs be turned off at business close.

**Motion seconded by Member McCall.** Motion passed unanimously passed by voice vote.

3.3 Continued Consideration and Discussion of Text Amendments to Various Sections to Title 12, Sign Control, of the Lincolnshire Village Code, to revise the Clarify Requirements for Permanent and Temporary Signs (Village of Lincolnshire).

**Tonya Zozulya, Economic Development Coordinator** addressed the Board, recapped the content neutrality nature of the code; permissible signs will be based upon which zoning district they are located in. She stated in previous meetings with the Architectural Review Board there was agreement signs should be turned off at night when located within 120 ft. of residential dwellings, but there was a request for a dimming standard for signs 120 ft. outside of residential dwellings. On July 19, 2018 staff conducted nighttime field inspections at 15 sign locations using a light meter. The results of these findings are included, the last page of the packet. The information was collected at various distances from the sign; the property line assumed to be at the curb. She stated none of the signs measured exceeded the allowable .5 foot candles at the property line; in fact most were all at 0. Only exception was the Marriott electronic message board along Milwaukee Avenue, which seemed



to be dependent upon the background showing at the time of the survey. **Chairperson Kennerley** thanked Village staff for conducting the sign brightness inventory; reviewing these findings was very helpful. As this dimming issue was the last remaining open item on the proposed sign code, **Chairperson Kennerley** asked if this Board was ready to make a motion.

**Member McCall moved**, having conducted a public hearing on January 16, 2018 and having held further consideration and discussion on March 20, 2018, May 31, 2018 and September 4, 2018, the Architectural Review Board recommend to the Village Board for their approval of comprehensive Sign Code revisions to Title 12 of the Lincolnshire Village Code regarding permanent and temporary signs, as presented in the draft Sign Ordinance prepared by the Village Attorney; no additional conditions.

**Motion Seconded by Member Tapia.** Motion passed unanimously by voice vote.

**REQUEST FOR BOARD ACTION  
Committee of the Whole  
October 9, 2018**

<b>Subject:</b>	Office-Industrial Zoning District Uses
<b>Action Requested:</b>	Preliminary Evaluation of Text Amendments to the Lincolnshire Zoning Code Regarding Office-Industrial Zoning District (O/I) Permitted and Special Uses
<b>Originated By/Contact:</b>	Tonya Zozulya, Planning & Development Manager Department of Community & Economic Development
<b>Referred To:</b>	Zoning Board

**Background:**

- In August 2018, Van Vlissingen and Co., a large Lincolnshire commercial property owner and landlord with property interests throughout the Chicagoland region, communicated concerns regarding permitted and Special Uses in the O/I Office-Industrial zoning district and its subdistricts (O/Ia, O/Ib, O/Ic and O/Id; see attached Documents 1 and 2). The concerns were prompted by an inquiry into the permissibility of licensed social workers and related counselling professions in Van Vlissingen and Co. buildings in the O/I district. Staff's and the Village Attorney's interpretation was that these uses currently require a Special Use and cannot locate "by right" in the O/I district, based on the code definition of "physician's office": *"Establishment for the practice of general or specialized medicine; including but not limited to, offices of one or more physicians, dentists, clinical psychologists, and similar medical or chiropractic professionals that does not include overnight care facilities."* Although clinical social workers are not explicitly referenced in the definition, it was determined they are similar to clinical psychologists per Standard Industrial Classification codes.
- On August 24, 2018, staff met with Van Vlissingen and Co. representatives to discuss uses that may be appropriate to either add to Village code or change the current permissibility. They shared comments based on their knowledge of the local office and industrial market, zoning codes in other communities, and inquiries from potential tenants.

**Proposed Text Amendments:**

- Staff has incorporated Van Vlissingen and Co.'s input as the basis for the proposed text amendments and has refined it to include additional uses in response to office/industrial trends and market realities. Over the next several weeks, staff will continue a comprehensive review of office/industrial uses permitted in neighboring and/or comparable communities. Staff recognizes office leasing remains a challenge with approximately 40% office vacancy (1.6 million square feet) in Lincolnshire; higher than Lake County overall. Office landlords and property managers require flexibility in leasing available spaces, and many new uses seek to locate in corporate centers.
- Staff annually identifies and pursues various areas for code revisions and believes the O/I zoning district regulations warrant review and updating. Below is an overview of recent O/I amendments:
  - In 2007, permissibility for medical offices was incorporated into the O/I district under Ordinance #07-3011-39.
  - In 2008, non-residential lighting regulations were adopted by Ordinance #08-3049-32.
  - In 2010, an amendment was adopted to permit testing of materials in the O/I district, with restrictions, under Ordinance #10-3132-09.

- In 2014, regulations were adopted for medical cannabis dispensaries by Ordinance #14-3338-65.
- Also in 2014, the entire O/I code was reorganized and assembly and recreational uses were established under Ordinance #14-3347-74. The Village has also opened permissibility for multi-user office/industrial buildings over several different amendments.
- Attached is a chart with O/I use categories proposed for review and text amendments, along with their current permissibility and staff's preliminary recommendations (see attached Document 3). The following 16 use categories are included:
  - Commercial service activity
  - Laboratories, research and development facilities, public or private
  - Municipal services activities
  - Printing and reproduction services, graphic and photo-stating services, office machine sales and repair, office supply sales, and other similar uses
  - Recreation facility, public or private
  - Office, business, professional and corporate headquarters
  - Physician's office
  - Catering establishment
  - Urgent medical centers
  - Tutoring centers, dance schools and similar instructional uses
  - Colleges, universities and vocational schools
  - Farmer's markets
  - Assembly uses (includes museums, art galleries, etc.)
  - Day Spas, with or without massage
  - Outlet stores accessory to a principal use
  - Testing of materials
- If the proposed text amendments are favorably received by the Village Board, staff intends to conduct additional research, consisting of Northwest Municipal Conference and adjacent community surveys, discussions with local office/industrial brokers, and studies of market trends.

**Review & Approval Process:**

The proposed text amendments require a Public Hearing at the Zoning Board. Following the Zoning Board recommendation, the Village Board will make the final determination regarding the proposal.

**Recommendation:**

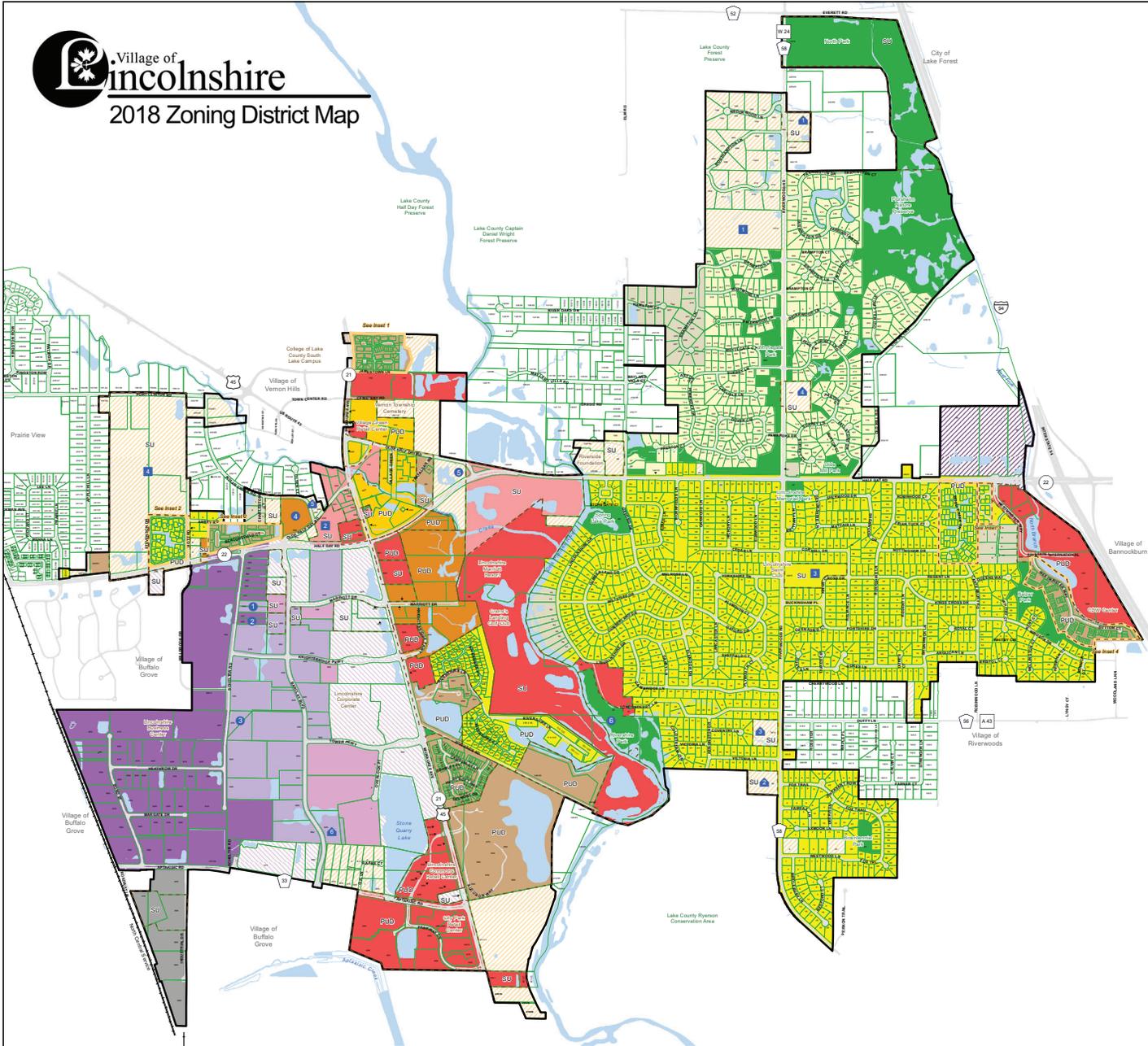
Preliminary evaluation and referral to the Zoning Board for a Public Hearing.

**Reports and Documents Attached:**

- Document 1: Zoning map, prepared by MGP Consortium.
- Document 2: Current O/I Code.
- Document 3: Chart of priority uses with current permissibility and preliminary proposed recommendations.

<b>Meeting History</b>	
Committee of the Whole discussion (current)	October 9, 2018

**Village of Lincolnshire**  
2018 Zoning District Map



**Zoning District Classification**

<b>Residential</b>	<b>Commercial</b>	Property Line
R1 - Single Family	E	Railroad
R2 - Single Family	B1	Water
R2A - Single Family	B2	Corporate Limits
R3 - Single Family	O/1a	
R4 - Multiple Family	O/1b	
R5 - Mixed Use	O/1c	
	O/1d	
	OC	
	SUI/PUD	Special Use/Planned Unit Development Area
<b>Restricted Manufacturing</b>		
M1		
<b>Other</b>		
Open Spaces / Parks		

**Place of Worship**

- 1 Ascension of Our Lord Greek Orthodox Church
- 2 Lutheran Church of the Holy Spirit
- 3 Community Christian Church
- 4 Village Church of Lincolnshire
- 5 Holy Mountain Evangelical Church
- 6 Willow Creek Community Church

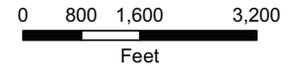
**Public Facility**

- 1 Lincolnshire-Riverwoods Fire Protection Dist.
- 2 Post Office
- 3 Village Public Works Facility
- 4 Vernon Area Public Library
- 5 Village Hall and Police Department
- 6 Rivershire Nature Center

**School**

- 1 Daniel Wright Middle School
- 2 Half Day Elementary School
- 3 Laura B. Sprague Elementary School
- 4 Adlai E. Stevenson High School

1 inch equals 1,689 feet



**Source Information**

Property lines provided by Lake County GIS and modified by the Village. All other map layers developed by the Village of Lincolnshire GIS.

Village corporate limits as of January 1, 2018. Map printed 8/16/2018.

**Limitation of Liability:** The user agrees that it will at all times indemnify and hold the Village and its officers and employees harmless and free and clear of any liability arising from any act of omission or commission. The Village makes no claim as to the accuracy of this article and its associated data tables and assumes no responsibility for their position or content accuracy. In providing such articles, the Village assumes no obligation to assist the user in the use, development, or maintenance of any applications derived from this article. The Village assumes no responsibility for the accuracy of any subsequent copies of this article.

# **TITLE 6: Zoning**

## **CHAPTER 8: Office/Industrial District**



### **Sections:**

- 6-8-1: Intent and Purpose
- 6-8-2: Subdistricts Established
- 6-8-3: General Requirements and Restrictions
- 6-8-4: Performance Standards
  - 6-8-4-1: Noise
  - 6-8-4-2: Vibration
  - 6-8-4-3: Air Pollution
  - 6-8-4-4: Toxic Substances
  - 6-8-4-5: Water Pollution
  - 6-8-4-6: Fire and Explosion Hazards
  - 6-8-4-7: Additional Restrictions
- 6-8-5: Permitted Uses and Special Uses
- 6-8-6: Prohibited Uses
- 6-8-7: Lot Sizes and Floor Area Ratio Requirements
- 6-8-8: Building Setbacks
- 6-8-9: Building Height
- 6-8-10: Signs
- 6-8-11: Off-Street Parking and Loading
- 6-8-12: Landscaping

### **6-8-1: Intent and Purpose**

The O/I (Office/Industrial) District is intended to accommodate office buildings, highly restrictive industrial and warehousing uses, and limited commercial activities in a mutually compatible environment which necessitate suitable separation from residential development. Uses permitted in the O/I District shall be restricted to those which require a pleasant, hazard-and- nuisance-free environment and do not create either an appreciable nuisance or hazard to other property, individuals, or the public in general.

### **6-8-2: Subdistricts Established**

The District is divided into four (4) subdistricts for the purpose of accommodating office-industrial developments of different bulk character.

- A. The O/Ia, a subdistrict, is intended to be located along State Highways 21 and 22 and shall be for office use with no industrial or warehousing uses or activities whatsoever permitted.
- B. The O/Ib subdistrict is intended primarily to accommodate office dominant uses where combinations of office/restricted light industrial or office-warehousing uses are to be accommodated as long as twenty five percent (25%) of the gross floor area of the original principal structure on the zoning lot is devoted to office activities.
- C. The O/Ic subdistrict is a restricted light industrial district. It is meant to be located off of secondary roads which are within industrial park developments. Uses permitted in the O/Ia and O/Ib subdistricts are encouraged in the O/Ic subdistrict.
- D. The O/I d subdistrict is designed to accommodate uses similar in character to those

permitted in the O/lc, and in addition, to industrial users who require rail service, which requires a special use permit, while maintaining a controlled structural and activity environment which meets the criteria of bulk regulations, performance standards and other design standards and regulations as contained herein. It is further intended to permit such uses to occur on smaller lots than those permitted in the O/lc subdistrict. O/ld subdistrict is appropriate for areas along and adjacent to railroad lines which offer rail access to industrial users. Uses permitted in the O/la, O/lb, and O/lc subdistricts are also encouraged in the O/ld subdistrict.

### **6-8-3: General Requirements and Restrictions**

- A. No building or zoning lot shall be devoted to any use other than uses permitted hereinafter in the zoning district in which such building or zoning lot shall be located, with the exception of the following:
1. Uses lawfully established on the effective date of this Chapter.
  2. Special uses allowed in accordance with the provisions hereof.
  3. Uses established prior to the effective date of this Chapter shall be rendered nonconforming and subject to the regulations of Chapter 13 of this Title.
- B. Dwelling units are not permitted, unless otherwise permitted in this Chapter.
- C. Special uses shall be permitted in the zoning districts indicated, subject to procedures outlined in Section 6-14-11 of this Title.
- D. All activities including manufacturing, storage, merchandise display, business operations and service or maintenance shall be conducted within completely enclosed buildings, except areas specifically set aside for refuse collection or pick-up. All refuse collection or pick-up areas shall be completely screened by permanent construction material on all sides, as regulated in Section 6-15-3(B)(4).
- All loading berths on zoning lots in the O/lb District shall be within completely enclosed buildings. All utilities shall be placed underground. (Ord. 80-632-89)
- E. All drives, loading dock aprons, parking areas, and walkways throughout the site shall be paved with asphalt or concrete material. Areas not covered by impervious materials shall be fully landscaped and maintained with grass, groundcover, trees and shrubs.
- F. To the extent of any conflict between the provisions of this Chapter and the provisions of any applicable Village building, subdivision or fire codes, the most strict provision shall prevail and be applicable. (Ord. 80-632-89; and. Ord. 82-742-49)

### **6-8-4: Performance Standards**

Any use established in an Office/Industrial District after the effective date of this Chapter shall be so operated as to comply with the performance standards established hereafter. Any use already established on the effective date of this Chapter shall be permitted to be altered, enlarged, expanded, or modified, providing that the addition conforms to the performance standards established hereinafter for the district in which such use is located. In any event, every use of land or structure shall be operated in compliance with all applicable local, State,

and Federal regulations including the State of Illinois Pollution Control Board rules and regulations hereby incorporated by reference.

Every application for a building permit or occupancy permit within an Office/Industrial District shall have affixed to it the certificate of a licensed architect or a registered professional engineer licensed by the State of Illinois certifying that the building or structure, and the proposed use thereof, complies with all of the provisions of this Zoning Code respecting performance standards for industrial and similar uses. The Director of Building and Zoning shall, upon receipt and upon complete review (either by said Director and/or any outside technical review agency selected by the Village) of such application, approve and authorize the issuance of a building permit or occupancy permit as the case may be, provided the applicant has complied with all other relevant provisions of this Code. If the Director of Building and Zoning determines it desirable to have some outside technical agency review the plans and application, then the applicant shall pay to the Village in advance a sum sufficient to reimburse the Village for such technical reviews. The Director of Building and Zoning may, however, withhold issuance of a building permit or occupancy permit as a result of examination of the plans or on the basis of other evidence if he determines that the proposed activity will not in fact comply with the performance standards and he shall so advise the architect or engineer in writing of such denial. The Director of Building and Zoning may also obtain an injunction or other appropriate legal or equitable relief, including but not limited to specific performance, writ of mandamus or mandatory injunction, to prevent, remedy, or abate any violations which occur after a building or occupancy permit is issued, which relief shall be in addition to any ordinance prosecutions for fines only. Each day a violation exists shall be considered a separate occurrence and offense as outlined in Section 6-1-5 of this Zoning Code.

#### **6-8-4-1: Noise**

A. Definitions: (All definitions of acoustical terminology shall be in conformance with those contained in ANSI (American National Standards Institute, Inc.) S1.1-1960 "Acoustical Terminology").

ANSI	American National Standards Institute, Inc. or its successor bodies.
A-Weighted Sound Level	In decibels, a frequency weighted sound pressure level, determined by the use of the metering characteristics and A-weighted network specified in ANSI S1.4-1971 "Specifications for Sound Level Meters" and the latest revision thereof.
Construction	On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earthmoving, blasting and landscaping.
Daytime Hours	7:00 A.M. to 7:00 P.M., local time.
dB(A)	Sound level in decibels determined by the A-weighting of a sound level meter.
Decibel (dB)	A unit of measure, on a logarithmic scale to the base 10, of the

	ratio of the magnitude of a particular sound pressure to a standard reference pressure, which, for purposes of this regulation, shall be twenty (20) micronewtons per square meter (uN/m <sup>2</sup> ).
Fast Meter Response	The dynamic characteristic specified as "FAST" in ANSI 51.4-1971 "Specifications for Sound Level Meters" and the latest revision thereof.
Impulsive Sound	Either a single pressure peak or a single burst (multiple pressure peaks) for a duration less than one second.
Nighttime hours	7:00 P.M. to 7:00 A.M., local time.
Octave Band Sound Pressure Level	The sound pressure level for the sound being measured contained within the specified octave band. The reference pressure is twenty (20) micronewtons per square meter.
Preferred Frequencies	Those frequencies in Hertz preferred for acoustical measurements which, for the purposes of this regulation, consist of the following set of values: 20, 25, 31.5, 40, 50, 63, 80, 100, 125, 160, 200, 250, 315, 400, 500, 630, 800, 1000, 1250, 1600, 2000, 2500, 3150, 4000, 5000, 6300, 8000, 10,000, 12,500.
Prominent Discrete Tone	<p>Sound, having a one-third octave band sound pressure level which when measured in a one-third octave band at the preferred frequencies, exceeds the arithmetic average of the sound pressure levels of the two (2) adjacent one-third octave bands on either side of such one-third octave band by:</p> <p>A. 5 dB for such one-third octave band with a center frequency from 500 Hertz to 10,000 Hertz, inclusive. Provided, such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;</p> <p>B. 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive. Provided, such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;</p> <p>C. 15 dB for such one-third octave band with a center frequency from 25 Hertz to 125 Hertz, inclusive. Provided, such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band.</p>
Sound	An oscillation in pressure in air.

**Sound Pressure Level** In decibels, twenty (20) times the logarithm to the base 10 of the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is twenty (20) micronewtons per square meter.

**Unregulated Safety** A safety relief valve used and designed to be actuated Relief Valve by high pressure in the pipe or vessel to which it is connected and which is used and designed to prevent explosion or other hazardous reaction from pressure buildup, rather than being used and designed as a process pressure blowdown.

- B. **Prohibition of Noise Pollution:** No person shall cause or allow the emission of sound beyond property lines so as to cause noise pollution or a nuisance in Lincolnshire, or so as to violate any provision of this Zoning Code.
- C. **Measurement Techniques:** Test procedures to determine whether emission of sound is in conformance with this regulation shall be in substantial conformity with Standards and Recommended Practices established by the American National Standards Institute, Inc., (ANSI), and the latest revisions thereof, including ANSI S1.1-1960, ANSI S1.6-1967, ANSI S1.8-1969, ANSI S1.2-1962, ANSI S1.4-1971 - Type 1 Precision, ANSI S1.11-1966 and ANSI S1.13-1971 Field Method.
- D. **Sound Emitted to Residential (R) Districts During Daytime Hours:** Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound during daytime hours from any noise source located in the O/I District, to any receiving residential districts or developments and any public school buildings or sites (hereinafter collectively referred to as R District) which exceeds the allowable octave band sound pressure level specified in Table 1, when measured at any point within such receiving R District; provided, however, that no measurement of sound pressure levels shall be made less than twenty five feet (25') from such noise source.

<b>TABLE 1</b>	
<b>Octave Band Center Frequency (Hertz)</b>	<b>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R District from O/I District</b>
31.5	72
63	71
125	65
250	57
500	51
1000	45
2000	39
4000	34
8000	32

- E. **Sound Emitted to R District During Nighttime Hours:** Except as elsewhere provided in this

regulation, no use shall cause or allow the emission of sound during nighttime hours from any noise source located in the O/I District to any receiving R District which exceeds any allowable octave band sound pressure level specified in Table 2, when measured at any point within such receiving R District; provided, however, that no measurement of sound pressure levels shall be made less than twenty five feet (25') from such noise source.

<b>TABLE 2</b>	
<b>Octave Band Center Frequency (Hertz)</b>	<b>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R District from O/I District</b>
31.5	63
63	61
125	55
250	47
500	40
1000	35
2000	30
4000	25
8000	25

F. Sound Emitted to Business (B) Districts: Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound from any noise source located in the O/I District land to any receiving business (B) district (hereinafter referred to as B District) which exceeds any allowable octave band sound pressure level specified in Table 3, when measured at any point within such receiving B Districts; provided, however, that no measurement of sound pressure levels shall be made less than twenty five feet (25') from such noise source.

<b>TABLE 3</b>	
<b>Octave Band Center Frequency (Hertz)</b>	<b>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R District from O/I District</b>
31.5	79
63	78
125	72
250	64
500	58
1000	52
2000	46
4000	41
8000	39

G. Sound Emitted In/To the O/I District: Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound from any noise source located in the O/I District to any receiving neighboring lot in the O/I District which exceeds any allowable octave band sound pressure level specified in Table 4, when measured at any point within such receiving O/I District; provided, however, that no measurement of sound pressure levels shall be made less than twenty five feet (25') from such noise source. (Ord. 80-632-39)

TABLE 4		
Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any O/I Lot from Neighboring O/I Lots	
	As Measured in O/Ia, b, & c	As Measured in O/Id
31.5	79	80
63	78	79
125	72	74
250	64	69
500	58	63
1000	52	57
2000	46	52
4000	41	48
8000	39	45

(Ord. 85-817-01)

- H. Impulsive Sound: No person shall cause or allow the emission of impulsive sound from any noise source located in the O/I District to any receiving R or B District or O/I lot which exceeds the allowable dB(A) sound level specified in Table 5, when measured at any point within such receiving R or B District or O/I lot; provided, however, that no measurement of sound levels shall be made less than twenty five feet (25') from the noise source. (Ord. 80-632-39)

TABLE 5			
Allowable dB(A) Sound Levels of Impulsive Sound Emitted from O/I Districts to Designated Classes of Receiving Uses			
O/Ia, b, & c	O/Id	Non-Residential	Residential
57	61	50	45

(Ord. 85-817-01)

- I. Prominent Discrete Tones:
- No use shall cause or allow the emission of any prominent discrete tone from any noise source located in the O/I District land to any receiving R or B District or neighboring O/I lot; provided, however, that no measurement of one-third octave band sound pressure levels shall be made less than twenty five feet (25') from such noise source.
  - This rule shall not apply to prominent discrete tones having a one-third octave band sound pressure level 10 or more dB below the allowable octave band sound pressure level specified in the applicable table in subsections D through G for the octave band which contains such one-third octave band.
- J. Exceptions:
- Subsections D through I, inclusive, shall not apply to sound emitted from emergency warning devices and unregulated safety relief valves.

2. Subsections D through I, inclusive, shall not apply to sound emitted from lawn care maintenance equipment and snow blowers and similar snow removal equipment used during daytime hours.
3. Subsections D through I, inclusive, shall not apply to sound emitted from equipment being used for temporary construction between the hours of seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M. of each day. (Ord. 80-632-39)
4. Subsections D through I, inclusive, shall apply to sound emitted from trucks and vehicles under the control of the property user and/or owner, except for vehicles entering and leaving the property. Examples of sound from such vehicles and trucks not either entering or leaving the premises are idling engines and trailer mounted refrigeration units. Sound emitted from railroad facilities shall be exempt. (Ord. 80-632-39; and. Ord. 85-817-01)

### **6-8-4-2: Vibration**

#### A. Definitions:

Amplitude	The maximum displacement of the earth from the normal rest position. Displacement is usually reported as inches per mils.
Discrete Impulses	A ground transmitted vibration stemming from a source where specific pulses do not exceed sixty (60) per minute (or one per second).
Frequency	The number of times that a displacement completely repeats itself in one second of time. Frequency may be designated in cycles per second (cps) or Hertz (Hz).
Impact	An earthborne vibration generally produced by two (2) or more objects striking each other so as to cause separate and distinct pulses.
Particle Velocity	A characteristic of vibration that depends on both displacement and frequency. If not directly measured, it can be computed by multiplying the frequency by the amplitude times the factor 6.28. The particle velocity will be in inches per second, when the frequency is expressed in cycles per second and the amplitude in inches.
Seismograph	An instrument which measures vibration characteristics simultaneously in three (3) mutually perpendicular planes. The seismograph may measure displacement and frequency, particle velocity, or acceleration.
Steady State	A vibration which is continuous, as from a fan, compressor, or motor.
Vibration	A reciprocating motion transmitted through the earth, both in horizontal and vertical planes.

- B. Instrumentation: Ground-transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three (3) mutually perpendicular directions.

- C. Maximum Permitted Vibration Levels: Table 1 designates the applicable lines of Table 2 that apply on or beyond adjacent lot lines within the district, and on or beyond appropriate district boundaries. Vibration shall not exceed the maximum permitted particle velocities in Table 2. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

TABLE 1 Steady-State Vibration Limits for the O/I District		
Maximum Peak Particle Velocity (inches per second)		
O/I Lot Line and B District	R District	
0.06	Day	Night
	0.03	0.01

Nighttime limits shall be considered to prevail from seven o'clock (7:00) P.M. to seven o'clock (7:00) A.M., local time.

The maximum particle velocity shall be the maximum vector sum of three (3) mutually perpendicular components recorded simultaneously. Particle velocity may also be expressed as 6.28 times the displacement in inches multiplied by the frequency in Hertz (cycles per second).

For purposes of this regulation, steady-state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute, shall be considered impact vibrations.

The values presented in Table 1 shall be doubled for impact vibrations.

**6-8-4-3: Air Pollution**

A. Definitions:

Opacity A condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purpose of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity Percent	Ringelmann No.
10	0.5
20	1
30	1.5
40	2
60	3
80	4
100	5

Particulate Any solid or liquid material, other than water, which exists in finely divided form.

Ringelmann The chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333(Revision of IC 7718) May 1, 1967, or any adaptation thereof which has been approved by Lincolnshire.

Smoke Small gas borne particles resulting from incomplete combustion, consisting predominantly but not exclusively of carbon, ash and other combustible material, that form a visible plume in the air.

- B. Visual Emissions: In the O/I District, no use shall cause or allow emission of smoke or other particulate matter into the atmosphere having an opacity greater than ten percent (10%).

For the purpose of soot blowing or equipment breakdown, emissions of smoke or other particulate matter may exceed an opacity of ten percent (10%) but it shall be limited to no more than three (3) times in any twenty four (24) hour period and shall not be greater than forty percent (40%) for a period or periods aggregating three (3) minutes in any sixty (60) minute period.

Opacity limitations shall not apply to emissions of uncombined water or water vapor. The determination of opacity of a smoke or particulate emission shall be in accordance with the procedures adopted by the State of Illinois Air Pollution Control Regulations.

- C. Particulate Matter Emissions: In the O/I District, no use shall cause or allow the emission of particulate matter, through one or more stacks, vents, ducts, or chimneys into the atmosphere in excess of 0.2 pound per hour, per acre of property. Tests for particulate matter shall be conducted in accordance with State of Illinois Air Pollution Control Regulations.

- D. Fugitive Particulate Matter: In the O/I District, no use shall cause or allow the emission of fugitive particulate matter across lot lines which is visible by an observer looking generally toward the zenith, beyond the property line. Total suspended particulate concentrations across lot lines shall not exceed twenty five (25) micrograms per cubic meter above background. No outdoor stockpiling of uncontained powdered or granular material subject to dusting is permitted.

E. Odors:

1. Definitions:

Habitable Elevation The height of the highest space in any existing or future building which is designed for use as a residence or working area of persons.

Odor Concentration The number of cubic feet that one cubic foot of sample will occupy when diluted to the odor threshold. It is measured in the number of odor units in one cubic foot of the sample and expressed in odor units per cubic foot.

Odor Unit One cubic foot of air at the odor threshold.

- 2. The release of odorous matter in the manufacturing districts shall comply with the

following regulations. Odor units and odor concentrations shall be determined in accordance with the State of Illinois Air Pollution Regulation (ASTM D-1391-57 as determined by Mills adaptation).

3. In the O/I District, the release of odorous matter from any operation, activity or use shall not cause or create a concentration in excess of one odor unit at any time when measured beyond the lot line, either at ground level or at habitable elevation.
- F. Airborne Toxic Matter: In the O/I District, the release of airborne toxic matter shall comply with applicable State of Illinois and Federal regulations. Maximum concentrations across lot lines at habitable elevations shall not exceed those concentrations promulgated by the State and Federal governments as being acceptable to the general population. For those toxic materials not listed, the maximum allowable concentration measured across lot lines at any habitable elevation shall not exceed three percent (3%) that permitted an industrial worker.

Concentrations shall be measured and calculated as the highest average that would occur over a continuous twenty four (24) hour period.

#### **6-8-4-4: Toxic Substances**

A. Definition:

**Toxic Substance** Any gas, liquid, solid, semisolid substance or mixture of substances, which if discharged into the environment could, alone or in combination with other substances likely to be present in the environment, cause or threaten to cause bodily injury, illness, or death to members of the general public through ingestion, inhalation, or absorption through any body surface. In addition, substances which are corrosives, irritants, strong sensitizers, or radioactive substances shall be considered toxic substances for the purposes of this regulation.

- B. The use, storage, handling or transport of toxic substances shall comply with the Illinois Pollution Control Board requirements.
- C. In the O/I District, any toxic substance listed by the U.S. Department of Health and Human Development (Public Health Service, Center for Disease Control, National Institute for Occupational Safety and Health, "Registry of Toxic Effects of Chemical Substances"), as revised from time to time, contained in one or more containers within the lot line in quantities in excess of one hundred (100) gallons as a liquid, one thousand (1,000) pounds as a solid or one hundred (100) pounds as a gas shall not be permitted.
- D. In the O/I District, the storage, utilization, manufacture or handling of any radioactive substance contained in one or more containers within lot lines in a quantity of one curie or more shall not be permitted.
- E. In the O/I District, the storage, utilization, manufacture or handling of any toxic or radioactive substance shall be allowed only as a special use and only after a special use permit is granted under the standards set forth above.

**6-8-4-5: Water Pollution**

In the O/I District, all uses shall comply with the State of Illinois Pollution Control Board rules and regulations, Chapter 3, entitled, "Water Pollution".

**6-8-4-6: Fire and Explosion Hazards**

- A. In the O/I District, activities involving the storage, handling, utilization, or manufacture of materials or products which decompose by detonation and which are classified by the Department of Transportation as Explosive A (and/or by the United Nations as UN Class 1.1 or 1.2), Explosive 8 (and/or by the United Nations as UN Class 1.3), or Explosive C (and/or by the United Nations as UN Class 1.4), as such classes are amended from time to time (See C.F.R. 49, Parts 100 to 177), shall be permitted only as a special use, in accordance with the standards set forth below, provided that such quantities do not exceed the limits set forth in the following Table 1. Explosives categorized or classified by the Department of Transportation as "Forbidden" or "Restricted" shall not be permitted. Permitted explosives shall be stored, utilized, handled and manufactured in accordance with National Fire Protection Association - National Fire Codes (as adopted by the Village) and all other applicable Village regulations and ordinances. The storage and accountability of permitted explosives shall comply with applicable Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms Regulations ("Your Guide to Explosive Regulations" as most recently amended and as amended from time to time - ATF P 5400.7). This includes the requirement for an explosives permit (18 USC Chapter 40).
- B. In the O/I District, the storage, utilization, handling or manufacture of radioactive isotopes (fissionable material) (regardless of atomic mass) shall not be permitted except as a special use and only after a special use permit is granted under the standards set forth in this Section 6-8-4-6, and also shall not be permitted unless the material is contained in an approved (by the Village) shielded and fire resistant container from which it is never removed. Radioactive isotopes (fissionable materials) in such shielded and fire resistant containers which are granted a special use shall be classified for the purposes of the O/I District as Explosive A materials and shall comply with the quantity limitations set forth in the following Table 1. Compliance with Department of the Treasury Regulations for the explosives storage shall not be required.
- C. In the O/I District, the storage, utilization, handling or manufacture of highly reactive oxidizing or reducing agents, unstable or pyroforic materials, or highly unstable materials which include but are not confined to organic peroxides, organic nitrates, fluorine, liquid oxygen, hydrazine, acetylides, tetrazoles, ozonides, perchloric acid, perchlorates, chlorates, alkyaluminums, diborane, calcium trifluoride, hydroxylamine or other similar materials shall be considered as Explosive C materials and shall comply with the quantity limitations as set forth in the following Table 1. The storage, utilization, handling or manufacture of these materials shall be in accordance with the National Fire Protection Association - National Fire Codes (as adopted by the Village) and all other applicable Village regulations and ordinances. Compliance with Department of the Treasury regulations for explosives storage shall not be required.
- D. In the O/I District, the storage, utilization, handling or manufacture of flammable liquids and gases shall be permitted in accordance with the following Table 2, including the storage of finished products. Flammable liquid and storage tanks shall not be less than fifty feet (50') from all lot lines. The storage, utilization, handling or manufacture of flammable liquids and gases shall be in accordance with the National Fire Protection Association - National Fire

Codes (as adopted by the Village) and all other applicable Village regulations and ordinances.

TABLE 1 Total Capacity of Explosive and Other Unstable or Highly Reactive Materials	
Material Classification	Total Quantity
Forbidden	0.0
Restricted	0.0
Explosive A	0.1
Explosive B	1.0
Explosive C	10.0
(The total quantity of all such materials shall not exceed 10 pounds)	

TABLE 2 Total Capacity of Flammable Materials Permitted (In Gallons)		
For Material Having an Open Cup Flash Point	Aboveground	Underground
At or above 140° F	5,000	20,000
At or above 100° F & below 140° F	2,000	20,000
Below 100° F	500	20,000

(When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure shall not exceed 30 times the quantities listed in Table 2 above).

Summary of O/I District Performance Standards Regulations	
Environmental Effect	O/I District
A. Noise	Maximum decibel limits at adjacent lot lines and district boundaries.
B. Vibration	Maximum ground transmitted vibration at lot lines and adjacent district boundaries.
C. Air Pollution	
1. Visual Emissions	Opacity not greater than 10%, with certain exceptions for soot blowing and malfunction.
2. Particulate Emissions	0.2 lb., per hour per acre, from all source emissions points.
3. Fugitive Particulate	No visible clouds across lot lines. TSP not to exceed 25 mcgm per meter <sup>3</sup> above ground. No stockpiling of dusty material outdoors.
4. Odor	Odor threshold not to be exceeded beyond lot lines.
5. Airborne Toxic Matter	Not to exceed Federal and State limits across lot lines or 3% of T.L.V., for industrial worker.
D. Toxic Substances	Toxic substances on lot not to exceed: Liquid 100 gallons

	Solid 1,000 pounds Gas 100 pounds Maximum of 1 curie of radioactive material.
E. Water Pollution	State regulations apply.
F. Fire & Explosive Hazards	Explosive and Reactive Materials by IDOT
	<b>Classification</b>
	Forbidden                      None
	Restricted                      None
	Explosive A                      0.1 lb
	Explosive B                      1.0 lb
	Explosive C                      10.0 lb
	<b>Flammable Liquid and Gas Storage Max. Gallons</b>
	<b>Flash Point                      Above Ground                      Underground</b>
	+140° F                      5,000                      20,000
	100° F to 140° F                      2,000                      20,000
	100 ° F                      500                      20,000
	Flammable gases 3OX above in standard cubic feet.
G. Glare	Maximum illumination in R District from O/I sources ½ foot candle.

**6-8-4-7: Additional Restrictions**

In addition to the performance standards specified above, in this Section the dissemination of noise, vibration, particulate matter, odor, toxic substances, or fire or explosive materials in either such manner or quantity as to be determined to endanger the public health, safety, comfort or welfare is hereby declared to be a public nuisance and shall be unlawful.

**6-8-5: Uses**

Uses permitted in the O/I District are identified in the table below:

See O/I District Uses Table on next page

<b>O/I DISTRICT USES</b>	<b>P = Permitted SU = Special Use</b>			
<b>Assembly Uses</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/I d SU
<ul style="list-style-type: none"> <li>As defined in Section 6-2-2.</li> <li>The total amount of Assembly Uses shall not exceed 50,000 square feet of gross building area for the entirety of the O/I District.</li> </ul>				
<b>Attached or detached structured parking garage</b>	O/Ia P	O/Ib P	O/Ic P	O/I d P
<ul style="list-style-type: none"> <li>The height of all structured parking garages shall not exceed fifty percent (50%) of the height of the principal building.</li> <li>Structured parking garages shall not be closer to the front lot line of the property than the principal building.</li> <li>Attached parking garages shall be of the same architectural design and constructed of the same exterior materials as the principal building, except for a glass curtain-walled principal building, where alternate but compatible exterior materials shall be substituted. Detached parking garages shall be compatible in architectural design as the principal building.</li> <li>All areas surrounding the structured parking garage shall be landscaped as if it were a principal building.</li> <li>In no instance shall the structured parking garage exceed the gross floor area of the principal building.</li> </ul>				
<b>Automotive repair facility, as defined in Chapter 2 of this Title</b>	O/Ia	O/Ib P	O/Ic P	O/I d P
<ul style="list-style-type: none"> <li>As defined in Section 6-2-2</li> </ul>				
<b>Auxiliary use</b>	O/Ia P	O/Ib P	O/Ic P	O/I d P
<ul style="list-style-type: none"> <li>Shall be incidental to and to service the principal use or for the convenience of the employees, including but not limited to, financial institutions without drive-through facilities, pharmacy/drug store, retail sales, cafeteria, and private recreational facility.</li> <li>Shall be located within the principal building.</li> <li>No exterior display of the auxiliary use shall be permitted.</li> </ul>				
<b>Commercial Service Activity</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/I d SU
<ul style="list-style-type: none"> <li>Commercial activities shall include, but not limited to, vehicle fueling stations which may include vehicle washes, restaurants, bank and financial institutions which may include drive-through facilities, child daycare facilities, pet day care facility, and car rental facilities primarily intended to service the uses established in the district and employees thereof.</li> <li>Pet day care facilities shall not include any overnight boarding/kenneling of animals.</li> </ul>				
<b>Dispensary Organization, as defined in Chapter 2 of this Title</b>	O/Ia	O/Ib	O/Ic	O/I d SU
<ul style="list-style-type: none"> <li>Shall comply with all provisions of the Compassionate Use of Medical Cannabis Pilot Program Act (Illinois Public Act 098-0122), and the regulations promulgated by the Department of Financial and Professional Regulation and Illinois Department of State Police.</li> <li>Shall not be located within 1,000 ft. of the property line of a pre-existing public or private preschool or elementary or secondary school, day care center, day care home, group day care home, or part day child care facility. For the purpose of this Chapter, "pre-existing" means operating prior to September 8, 2014.</li> <li>Shall not be permitted in a multiple-tenant property and/or structure.</li> <li>Drive-through facilities are prohibited.</li> <li>Shall operate for a minimum of 35 hours a week, only between 6:00 AM and 8:00 PM, local time, and shall not operate uninterrupted for a 24 hour period.</li> <li>Medical cannabis, medical cannabis infused products, medical cannabis paraphernalia, or similar products shall not be displayed for public view from the exterior of the Dispensary Organization.</li> </ul>				

- Consumption of cannabis on the property of a Dispensary Organization shall be prohibited.
- Registration from the Department of Financial and Professional Regulation. A current copy of such registration shall be submitted to the Lincolnshire Police and Community and Economic Development Departments at all times.
- The sale of paraphernalia that is directly used for the consumption of medical cannabis shall be permitted. The sale of any paraphernalia not directly required for the consumption of medical cannabis is prohibited.
- All trash containers shall be located entirely within the interior of the primary structure to prevent uncontrolled access from the building's exterior, except for routine disposal of trash containers.

<b>Hospital and/or medical campus</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/IId SU
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- As defined in Section 6-2-2

<b>Laboratories, research and development facilities, public or private</b>	O/Ia	O/Ib* P	O/Ic P	O/IId P
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- \*Said operations shall contain office space at least twenty five percent (25%) of the gross leasable area and in conformance with Sections 6-8-3 and 6-8-4 of this Chapter.

<b>Light manufacturing; fabricating; processing; assembly; repairing; storing; servicing; or testing of materials, goods or products</b>	O/Ia	O/Ib* P	O/Ic P	O/IId P
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- \*Said operations shall contain office space at least twenty five percent (25%) of the gross leasable area and in conformance with Sections 6-8-3 and 6-8-4 of this Chapter.

<b>Municipal services activities</b>	O/Ia	O/Ib	O/Ic P	O/IId P
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- Including, but not limited to, water supply facilities, public works facilities, fire stations, government post office, or other municipal facilities providing services to the public.

<b>Office, business, professional and corporate headquarters</b>	O/Ia P	O/Ib P	O/Ic P	O/IId P
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<b>Parking garages (as principal use)</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/IId SU
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<b>Physician's office</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/IId SU
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- The cumulative off-street parking spaces for all uses operated on or from the premises shall be provided in accordance with the minimum requirements listed in Section 6-11-3(B) of this Zoning Code.
- In the O/Ia subdistrict, in any building on a zoning lot with frontage on an arterial highway (including but not limited to; Aptakisic Road, Half Day Road, and Milwaukee Avenue) there shall be no limitation on the proportion of clinic to non-clinic uses, irrespective of which floor the clinic(s) are located.
- In the O/Ia subdistrict, in any building on a zoning lot without frontage on an arterial highway, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located.
- In all other O/I subdistricts, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located. (Amd. Ord. 07-3011-39, eff. 11/26/07)

<b>Printing and reproduction services, graphic and photo-stating services, office machine sales and repair, office supply sales, and other similar uses</b>	O/Ia	O/Ib	O/Ic P	O/IId P
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<b>Product showroom</b>	O/Ia P	O/Ib P	O/Ic P	O/IId P
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- Accessory to a principal use.
- Limited to twenty five percent (25%) of the gross leasable space.

<b>Public utility facilities</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/IId SU
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- Public utility facilities shall include transportation facilities, structures and buildings (bus turnarounds, bus waiting shelters, but excluding heliports) telephone exchanges, transmission buildings and equipment, telephone booths, electric distribution substations, natural gas equipment and distribution facilities

<b>Railroad lead and spur tracks</b>	O/Ia	O/Ib	O/Ic	O/Id SU
<ul style="list-style-type: none"> <li>• Except for the present lead track running in an easterly direction from the Soo Line main line track, any new lead tracks must run parallel to the Soo Line main line track and within twenty five feet (25') from the right of way line of said Soo Line or as otherwise provided for herein.</li> <li>• No new lead track running parallel to the Soo Line main track shall be located less; than one hundred feet (100') of the center line of Aptakistic Road.</li> <li>• The present lead track running in an easterly direction from the Soo Line main line track along the south line of the property presently occupied by Aluminum Mills shall not be extended eastward from its present terminus.</li> <li>• Only spur tracks required to serve specific industries or users contiguous to a lead track shall be permitted and such spur tracks shall run parallel to the present lead track running in an easterly direction from the Soo Line main line track or to a lead track parallel to running parallel to the Soo Line main line track.</li> <li>• All spur tracks installed to serve any users in this subdistrict shall only be permitted in the rear yard as defined in Section 6-8-5 of this Zoning Code, and must terminate within five feet (5') of the edge of the building.</li> <li>• No railroad spur track shall be constructed or made available for public use or to any user(s) not immediately abutting upon such spur track.</li> <li>• On zoning lots in the O/Id subdistrict which have spur tracks on the zoning lot, the coupling and uncoupling of railroad cars is prohibited between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.</li> <li>• Zoning lots in the O/Id subdistrict which are contiguous to any lead track must have a minimum two (2) acre lot area (eighty thousand [80,000] square feet) and a two hundred foot (200') minimum lot width.</li> <li>• In the O/Id subdistrict only one rail user will be allowed for each five hundred (500) lineal feet of lead track. (Ord. 85-817-01)</li> </ul>				
<b>Recreation facility, public or private, as defined in Chapter 2 of this Title</b>	O/Ia	O/Ib	O/Ic SU	O/Id SU
<b>Testing of materials</b>	O/Ia P	O/Ib P	O/Ic P	O/Id P
<ul style="list-style-type: none"> <li>• Shall be conducted only in the interior of a building.</li> <li>• Shall be accessory to the primary business operations.</li> <li>• Testing shall occupy no more than 25% of the gross building area (if a building is occupied by one user) or gross tenant space area (if a building is occupied by multiple users).</li> <li>• Testing of and on animals shall be prohibited.</li> <li>• Testing of hazardous or combustible materials shall be prohibited.</li> <li>• All Performance Standards outlined in this Chapter, inclusive of Section 6-8-4 and all subparts thereof, shall apply separately to each individual tenant space and/or building, wherein testing of materials is performed. (Amd. Ord. 10-3132-09, eff. 4/12/10)</li> </ul>				
<b>Urgent medical center/clinic</b>	O/Ia SU	O/Ib SU	O/Ic SU	O/Id SU
<ul style="list-style-type: none"> <li>• As defined in Section 6-2-2</li> </ul>				
<b>Warehouse and storage</b>	O/Ia	O/Ib	O/Ic P	O/Id P
<ul style="list-style-type: none"> <li>• Shall be conducted within a completely enclosed structure.</li> <li>• Shall not include freight terminals or cartage firms, which are not permitted.</li> </ul>				
<b>END OF O/I USES LIST</b>				6-8-5

**6-8-6: Prohibited Uses: All Subdistricts**

- A. No zoning lot, parcel, or tract of land shall be used, and no structure shall be erected, altered, or remodeled for any of the following uses: abattoirs; arsenals, blast furnaces; boiler works; cartage except where incidental to a permitted principal use; coke ovens cement and

stone mason contracting yards; crematories; manufacture or storage of fireworks or explosives; dumping, reduction, or other processing of garbage, dead animals, or offal; the processing of refuse, except as customarily incidental to a permitted principal use; ore reduction; petroleum processing or refining; pyroxylin manufacture; natural or synthetic rubber, coutchouc, or gutta percha manufacture or treatment; packing plants; salt works; sauerkraut manufacture; soap manufacture; smelters; stock yard or slaughter of animals or fowls processing of fish oil; tallow, grease or lard manufacture or treatment; tanning; curing, or storage of raw hides or skins; tar distillation or manufacture; or cement manufacturing; concrete or asphaltic concrete mixing plants.

- B. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the Village or are used as customarily incidental to the operation of a principal use in such quantities, and in a manner conforming with applicable performance standards set forth hereafter under subsection A of this Section. Such materials shall include, but shall not be confined to; all primary explosives such as lead ozide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, perchloric acid, perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty five percent (35%); and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

**6-8-7: Lot Sizes and Floor Area Ratio Requirements**

A. Lot Size Requirements:

<b>Uses</b>	<b>Minimum Lot Area</b>	<b>Minimum Lot Width</b>
O/la subdistrict	2 acres (87,120 sq. ft.)	220 ft.
O/lb subdistrict	2 acres (87,120 sq. ft.)	220 ft.
O/lc subdistrict	2 acres (87,120 sq. ft.)	220 ft.
O/lc, Municipal services	1 acre (43,560 sq. ft.)	150 ft.
O/ld subdistrict	1 acre (40,000 sq. ft.)	100 ft.
Commercial Service Activity, Car Rental	20,000 sq. ft.	150 ft.
Commercial Service Activity, Motels and Hotels	5 acres	220 ft.
Commercial Service Activities, All others	1 acre	150 ft.
Dispensary Organization	1 acre	150 ft.
Municipal Services Activity, Commuter rail station	As specified by the Zoning Board	
Non-Membership Assembly Uses	5 acres	220 ft.
Parking garages, as principal use	As specified by the Zoning Board	
Physician's office	1 acre	150 ft.
Public utility facility	As specified by the Zoning Board	

Urgent medical center/clinic	1 acre	150 ft.
Special Uses, All others	2 acres	150 ft.

B. Maximum Floor Area Ratio (FAR): In the O/I District, the floor area ratio shall not exceed the following:

Uses	Maximum FAR
All other Permitted uses	0.5
Auxiliary use	0.7
Commercial Service Activity, Car Rental	0.7
Commercial Service Activity, Motels and Hotels	1.0
Commercial Service Activity, Restaurants	0.7
Commercial Service Activity, Vehicle Service Stations	0.7
Dispensary Organization	0.5
Laboratories/research and development facilities	0.5
Light manufacturing/fabricating and warehouse uses	0.5
Non-Membership Assembly Uses	0.5
Office and bank/financial institutions	1.0
Parking Garages	As specified by the Zoning Board
Public Utilities Facilities	As specified by the Zoning Board
All other Special Uses	0.5

Accessory Uses: In the O/I District, the floor area of the accessory buildings shall be included in the total allowable floor area permitted on the zoning lot; however, any floor area devoted to off-street parking or loading facilities shall be exempt from floor area ratio requirements. (Ord. 14-3309-35)

**6-8-8: Building Setbacks**

**O/Ia & O/Ib Districts**

Front & Corner Side	50 ft.	Increase by 1 ft. for each 1 ft. building height exceeds 45 ft., up to 72 feet, including roof-top mechanical equipment.
		Increase by 2 ft. for each 1 ft. building height exceeds 72 ft., including roof-top mechanical equipment. Said increase shall be cumulative
Side Rear	30 ft.	Increase by 1 ft. for each 1 ft. building height exceeds 45 ft., including roof-top mechanical equipment.

**O/lc District**

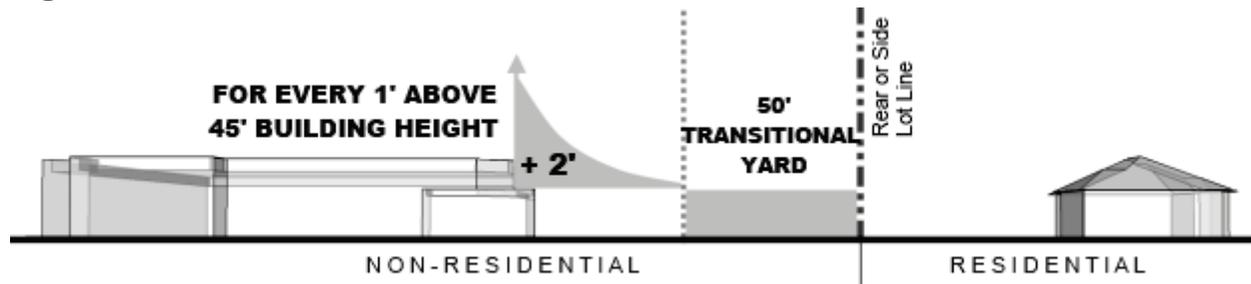
Front & Corner Side	35 ft.	} Increase by 1 ft. for each 1 ft. building height exceeds 20 ft., including roof-top mechanical equipment.
Side	20 ft.	
Rear	25 ft.	

**O/ld District**

Front & Corner Side	35 ft.	} Increase by 1 ft. for each 1 ft. building height exceeds 30 ft., including roof-top mechanical equipment.
Side	20 ft.	
Rear	25 ft.	

However, where the side or rear yard of any zoning lot in the O/I District is adjacent to a zoning lot in any residential district such yard shall be considered a transitional yard. Transitional yards shall be 50 feet in depth where the building height is under 45 feet in height. This yard shall be increased by 2 feet for every 1 foot by which the building height exceeds 45 feet in height.

**Figure 6-8-8:** Transitional Yard



**6-8-9: Building Height**

- A. O/Ia Subdistrict: Maximum allowable height of all structures, including all mechanical equipment, shall be eighty five feet (85') or six (6) stories (and two (2) levels of underground parking), whichever is less. (Ord. 80-632-39)
- B. O/Ib and O/Ic and O/Id Subdistricts: Maximum allowable height of all industrial, warehouse, or manufacturing structures, including all mechanical equipment, and other permitted uses, shall be forty five feet (45') or three (3) stories, whichever is less. Office buildings constructed in the O/Ib and O/Ic and O/Id subdistricts will be permitted to the heights set forth in paragraph 1 above. (Ord. 85-817-01)

**6-8-10: Signs**

Signs shall be subject to the regulations contained Title 12 of this Code.

**6-8-11: Off-Street Parking and Loading**

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title.

**6-8-12: Landscaping**

Landscaping shall be subject to the regulations contained in Title 13 of this Code.

## O/I Office Industrial Zoning District - Proposed Revisions

As of October 4, 2018

Use	Current	Preliminary Staff Proposal	Preliminary Notes
<b>Commercial service activity</b>	Commercial activities shall include, but not be limited to, vehicle fueling stations which may include vehicle washes, restaurants, bank and financial institutions which may include drive-through facilities, child daycare facilities, pet day care facility, and car rental facilities primarily intended to service the uses established in the district and employees thereof. Pet day care facilities shall not include any overnight boarding/kenneling of animals	<ul style="list-style-type: none"> <li>• Retain all current commercial activities</li> <li>• Separately list "typical" commercial activities so they are more identifiable: hotels, fitness centers</li> <li>• Eliminate current overnight animal boarding/kenneling restriction for pet daycare facilities</li> <li>• Add a new use: pet grooming</li> </ul>	Staff believes allowing overnight animal boarding by Special Use will be appropriate as potential impacts on surrounding properties will be reviewed prior to permit issuance. Adding pet grooming as a new Special Use will allow for this high-demand use to locate in O/I district.
	<i>Permitted in: All O/I subdistricts as a Special use</i>	<i>Permit in: All O/I subdistricts as a Special use, and allow restaurants (without live entertainment and drive-thru) and banks/financial institutions (without drive-thru) as a Permitted use</i>	Restaurants (without live entertainment and drive-thru) and banks (without a drive-thru) are a permitted use in B Business zoning districts, and no problems have been observed.
<b>Laboratories, research and development facilities, public or private</b>			
	<i>Permitted in: O/lb, c and d subdistricts as a Permitted use</i>	<i>Permit in: All subdistricts as a Permitted use</i>	Staff believes adding permissibility in the O/la subdistrict will not be detrimental.
<b>Municipal service activities</b>	Including, but not limited to, water supply facilities, public works facilities, fire stations, government post office, or other municipal facilities providing services to the public	<ul style="list-style-type: none"> <li>• Add quasi government facilities such as school and library district office uses</li> </ul>	
	<i>Permitted in: O/lc and d subdistricts as a Permitted use</i>	<i>Permit in: c and d subdistricts as a Permitted use, and allow school district office uses in all subdistricts as a Permitted use</i>	As school and library districts reach capacity in their existing campuses, they may want to utilize existing office space in corporate centers.
<b>Printing and reproduction services, graphic and photo-stating services, office machine sales and repair, office supply sales, and other similar uses</b>		<ul style="list-style-type: none"> <li>• Replace "and other similar uses" in the use description with "and other similar uses which are not associated with automotive services"</li> </ul>	

## O/I Office Industrial Zoning District - Proposed Revisions

As of October 4, 2018

Use	Current	Preliminary Staff Proposal	Preliminary Notes
	<i>Permitted in: O/Ic and d districts as a Permitted use</i>	<i>Permit in: All subdistricts as a Permitted use</i>	Staff believes adding permissibility in the O/Ia and b subdistricts will not be detrimental.
<b>Recreation facility, public or private</b>	Public Recreation Facility: "A facility operated as a commercial business and open to the public for a fee, offering indoor party facilities and/or fitness/recreational sports featuring exercise and other active physical fitness conditioning or recreational sports activity, and which may include food service and/or the sale of alcoholic beverages to patrons, provided it is secondary and incidental to the primary recreational activity. Such facility shall not operate any Sexual Oriented Business, as defined in Section 6-7B-3 of this Title, or any establishment commonly known as a gun, shooting or firing range."		
	Private Recreation Facility: " A facility offering fitness and/or recreational sports featuring exercise and other active physical fitness conditioning or recreational sports activity for members paying monthly and/or annual dues, and which may include food service and/or the sale of alcoholic beverages, provided it is secondary and incidental to the primary recreational operation. Such facility shall not operate any Sexual Oriented Business, as defined in Section 6-7B-3 of this Title, or any establishment commonly known as a gun, shooting or firing range."		
	<i>Permitted in: c and d districts only as a Special use</i>	<i>Permit in: All subdistricts as a Permitted use if the use does not include liquor service, and allow as a Special use with liquor service</i>	Staff believes adding permissibility in O/Ia and b and creating "permitted" vs "Special Use" approval tracks will be appropriate.
<b>Office, business, professional and corporate headquarters</b>	"Office": A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations. An office shall not include a clinic or the production, distribution or sales of goods or commodities which are physically located on the premises.		

## O/I Office Industrial Zoning District - Proposed Revisions

As of October 4, 2018

Use	Current	Preliminary Staff Proposal	Preliminary Notes
	Permitted in: All subdistricts as a Permitted use	Permit in: All subdistricts as a Permitted use, and allow on-site cafeteria for employees not to exceed 25% of the gross building area is devoted to on-site cafeteria	CDW, Sysmex, Aon Hewitt and other businesses already have on-site catering service, and no problems have been observed
<b>Physician's office</b>	Establishment for the practice of general or specialized medicine; including but not limited to, offices of one or more physicians, dentists, clinical psychologists, and similar medical or chiropractic professionals that does not include overnight care facilities.	<ul style="list-style-type: none"> <li>• Add "social workers, counsellors, acupuncturists, occupational and physical therapists, nutritionists" to the use definition</li> </ul>	
	<i>Permitted in: All subdistricts as a Special Use</i>	<i>Permit in: All subdistricts as a Permitted use</i>	Staff believes revising the existing definition is appropriate to allow counselling and other high-demand medical uses. Staff also believes the current restriction regarding overnight stays should remain.
<b>Catering establishment</b>		<ul style="list-style-type: none"> <li>• Create a new code definition: "A catering establishment is a business which prepares and distributes food for on-site or off-site consumption"</li> </ul>	
	<i>Not permitted</i>	<i>Permit in: All subdistricts as a Permitted use</i>	This will allow catering establishments as a stand-alone use, not affiliated with an office use (see above under "Office").
<b>Urgent medical centers</b>			
	<i>Permitted in: All subdistricts as a Special use</i>	<i>Permit in: All subdistricts as a Special use</i>	Staff is not recommending any changes.
<b>Tutoring centers, dance schools and similar</b>			
	<i>Not permitted</i>	<i>Permit in: All subdistricts as a Permitted use</i>	Staff believes these high-demand uses should be permitted.
<b>Colleges, universities and vocational schools</b>			

## O/I Office Industrial Zoning District - Proposed Revisions

As of October 4, 2018

Use	Current	Preliminary Staff Proposal	Preliminary Notes
	<i>Not permitted</i>	<i>Permit in: All subdistricts as a Special use</i>	Staff believes these uses should be allowed by Special Use given potential impacts on surrounding properties.
<b>Farmer's markets</b>	<i>Not permitted</i>	<i>Permit in: All subdistricts as a Permitted use</i>	
<b>Assembly uses (includes museums, art galleries, etc.)</b>	The use of a non-government owned building, or part thereof, by a gathering of persons principally for civic, literary, arts, music, political, transportation, religious, or similar purposes. Examples include, but are not limited to Fraternal Lodges, Private Club which shall not include any Sexual Oriented Business as defined in Section 6-7B-3 of this Title, Veterans' membership organizations, civic organizations, conference centers, banquet halls, and meeting rooms and ballroom facilities which are principal uses or accessory to hotels/motels.	<ul style="list-style-type: none"> <li>• Eliminate the current 50,000 square foot restriction for assembly uses</li> </ul>	
	The total amount of Assembly Uses shall not exceed 50,000 square feet of gross building area for the entirety of the O/I District.		
	<i>Permitted in: All subdistricts as a Special Use</i>	<i>Permit in: All subdistricts as a Special Use</i>	Staff believes eliminating the current area restriction for assembly uses (which includes both religious and non-religious uses) will not cause proliferation of such uses in corporate centers.

## O/I Office Industrial Zoning District - Proposed Revisions

As of October 4, 2018

Use	Current	Preliminary Staff Proposal	Preliminary Notes
<b>Day Spas, with or without massage</b>			Staff is not ready to provide a recommendation at this as more research is required into how this and other similar uses which have traditionally located in B business zoning districts should be treated in O/I district.
	<i>Not permitted</i>	<i>Permit in: N/A</i>	
<b>Outlet stores accessory to a principal use</b>			
	<i>Not permitted</i>	<i>Permit: N/A</i>	Staff is not ready to provide a recommendation at this as more research is required into how this should be treated in O/I district.
<b>Testing of materials</b>			
	<i>Permitted in: All districts as a Permitted use with restrictions</i>	<i>Permit in: All districts as a Permitted use with the same restrictions</i>	Staff is not recommending any changes.

**REQUEST FOR BOARD ACTION**

**Subject:** Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for the 2018 Tax Levy to be Collected in Fiscal Year 2019 (Village of Lincolnshire)

**Action Requested:** PUBLIC ANNOUNCEMENT - Consideration of Property Tax Estimate (No Formal Action Necessary)

**Originated By/Contact:** Michael R. Peterson, Finance Director/ Treasurer

**Referred To:** Village Board

**Summary / Background:**

Pursuant to State Statute, the Village is required to estimate the funds to be raised from taxes on real property in the Village prior to the adoption of the levy. State law requires the Village Board to declare during a public meeting an estimate of the expected property tax levy for 2018. This announcement must be performed no less than twenty (20) days prior to the adoption of the official tax levy. This year, the adoption of the tax levy ordinance is expected to take place on November 12, 2018.

Staff is in the process of finalizing the development of the proposed budget for Fiscal Year 2019. The proposed FY2019 Budget reflects a 2018 estimated property tax levy of \$1,580,000 to be collected in FY2019. The property tax revenue reflected in the Proposed 2019 Budget will be used to fund required pension contributions and police protection.

Village staff estimates the total estimated taxable assessed value in Lincolnshire has increased nearly 4.6% or approximately \$29.7 million compared to the previous year. To take advantage of the increase in assessed valuation, staff recommends a total property tax levy of \$1,580,000. The amount levied will be similar to the tentative number reflected in the draft 2019 Budget. Staff continues to emphasize the need for the Village's revenue sources to be diversified to minimize losses related to various economic conditions. By levying a tax for Police Protection and pension/retirement contributions, staff has positioned the Village to capture \$27,212 additional property tax revenue while maintaining a tax rate freeze of .241.

	<b>2017 Tax Extension</b>	<b>2018 Tax (Proposed Budget)</b>	<b>Difference</b>
Assessed Value	\$644,309,622	\$674,093,118	\$29,783,496
Police Protection	\$194,472	\$213,000	\$18,528
IMRF	\$302,156	\$301,000	(\$1,156)
Police Pension Fund	\$849,755	\$855,000	\$5,245
Social Security	\$206,405	\$211,000	\$4,595
<b>Tax Rate</b>	<b>.241</b>	<b>.241</b>	<b>\$27,212</b>

As was done for the 2013 - 2017 tax levies, staff will reduce the tax rates if necessary to maintain a .241 tax rate for the 2018 Tax Year. Lake County Clerk's Office will contact the Village Treasurer early April 2019 to request a final confirmation of the property taxes to be extended. This will be the sixth consecutive year of maintaining a .241 tax rate for the Village of Lincolnshire.

In accordance with statutory requirements, the 2018 tax levy ordinance will be included on the agenda for consideration at the October 22, 2018 Village Board Committee of the Whole meeting for referral, and at the November 12, 2018 Regular Village Board meeting for consideration and approval.

This is an estimate and does not limit the Board's ability to levy a different amount provided it is in compliance with the Truth in Taxation Law and all applicable notice and hearing provisions.

**Budget Impact:** The proposed levy will be reflected in the 2019 proposed budget as Property Tax Revenue.

**Service Delivery Impact:** None

**Recommendation:** Consideration and discussion of proposed levy.

**Reports and Documents Attached:** Property Tax Levy Timeline

<b>Meeting History</b>	
Committee of the Whole – Initial Referral	October 9, 2018

## PROPERTY TAX LEVY TIMELINE

September 24, 2018 COW	Police Pension Board presents Tax Levy request to Village Board based on Village's Pension Funding Policy.
October 08, 2018 COW	Determine Tax Levy 20 Days before adoption Further determine if levy is more than 5% over 2017 Property Tax Extension
October 08, 2018 COW	2018 Property Tax Levy discussion; seek Village Board's direction to prepare Property Tax Levy items and amounts; and set Public Hearing date ( <i>if applicable</i> ).
October 22, 2018 COW	Tax Levy presentation by Treasurer
October 23, 2018	Deadline to Determine Tax Levy 20 Days before adoption <i>The Truth in Taxation Act provides that not less than 20 days before any taxing body makes its tax levy it must determine how many dollars in aggregate property tax extensions will be necessary. 35 ILCS 200/18-60, 18-65.</i>
n/a	"Truth in Taxation" published in local newspaper <i>The Notice cannot be published in the legal notices or classified section of the newspaper. The public hearing must be held between 7 and 14 days after the notice is published in the newspaper. 35 ILCS 200/18-70, 18-75, 18-80. In addition, if a taxing district has a website maintained by the full-time staff of the taxing district, then the notice shall be posted on the website in addition to the other requirements of this Section. The failure of a taxing district to post the notice on its website shall not invalidate the notice or any action taken on the tax levy. 35 ILCS 200/18-75.</i>
n/a	"Truth in Taxation" post to Village website
n/a	Public Hearing- 2018 Tax Levy
November 12, 2018 RVB- Consent Agenda	2018 Annual Tax Levy Ordinance approval. <i>Village Board may further instruct Treasurer to work with Lake County Clerk's Office to further reduce the approved Tax levy amounts to obtain a specific tax rate.</i>
November 16, 2018	Tax Levy Ordinance & Property Tax Abatements to be filed with Lake Co Clerk's Office
December 24, 2018	Deadline to Pass Tax Levy Ordinance <i>The tax levy ordinance must be passed and a certified copy thereof filed with the county clerk on or before the last Tuesday in December. 65 ILCS 5/8-3-1.</i>
March 27, 2019	Lake County Clerk's Office emails the draft tax rates and extended amounts.
April 04, 2019	Deadline for Lincolnshire Treasurer to submit request for lower tax rate(s) with Lake County Clerk's Office as directed by Village Board