



VILLAGE OF
L I N C O L N S H I R E

**AGENDA
ZONING BOARD
Virtual Meeting
Tuesday, August 11, 2020
7:00 p.m.**

In accordance with the Village of Lincolnshire's [Virtual Meeting Public Hearing Rules](#), comments received for the August 11, 2020, Zoning Board meeting have been attached to the end of the agenda packet. The original content of the agenda packet published on August 7, 2020, has not changed.

AGENDA
ZONING BOARD
Virtual Meeting
Tuesday, August 11, 2020
7:00 p.m.

This meeting will be conducted by audio or video conference without a quorum of the public body physically present because of a disaster declaration related to COVID-19 public health concerns affecting the Village of Lincolnshire. The Mayor determined that an in-person meeting at the Village Hall with all participants is not practical or prudent because of the disaster.

PUBLIC REMOTE PARTICIPATION OPTIONS

• **View/Listen**

- Watch live on Cable Channel 10 or <https://global.gotomeeting.com/join/573024269>.
- Listen live via phone 312-757-3121 (access code 573-024-269).
- Meetings posted to www.lincolnshireil.gov/government/about/agendas-minutes-packets-video the day after meeting.

• **Public Comment – Items Not Requiring a Public Hearing**

- [Rules for public comment during virtual meetings](#) can be found on the Village website on the “Transparency” webpage.
- Call 847-913-2312 to leave a voicemail message with your comment by 5:00 p.m. on Tuesday, August 11, 2020. For members of the public leaving voicemails, the voicemails must be:
 - Articulate and audibly comprehensible.
 - Inclusive of the commenter’s name, organization/agency being represented, address (street, city, state), phone number, and the topic or agenda item number the commenter is addressing.
 - No more than two minutes in length.
 - Free of any abusive or obscene language.
- Email your comment to VOLPublicComment@lincolnshireil.gov by 5:00 p.m. on Tuesday, August 11, 2020. You may also submit a letter by dropping it off in the Village Hall vestibule or mailing it via the United States Postal Service. For members of the public submitting comment via email or letter, the written notice must be:
 - Typed or written legibly.
 - Inclusive of the commenter’s name, organization/agency being represented, address (street, city, state), phone number, and the topic or agenda item number the commenter is addressing.
 - No more than 200 words in length.
 - Free of any abusive or obscene language.
- Comments received before the meeting will be read concurrent with respective agenda item. Comments may be sent to the VOLPublicComment@lincolnshireil.gov email address during the meeting, but it is not guaranteed they will be read until the end of the meeting.

- **Public Comment – Items Requiring a Public Hearing**
 - [Rules for virtual public hearings](#) can be found on the Village website on the “Transparency” webpage.
 - Any group or member of the public who intends to give a PowerPoint or comparable presentation at the hearing must submit such presentations to the Community & Economic Development Director or VOLPublicComment@lincolnshireil.gov no later than two (2) days prior to the hearing (5:00 p.m. deadline).
 - Any documentary evidence or presentations from the public received not less than two (2) days prior to the hearing will be published on the Village’s website as soon as possible. These materials will also be included within the case file and will be clearly labeled with consecutive page numbers for ease of reference.
 - Written comments from the public regarding the Petitioner’s application submitted to the Community & Economic Development Director or VOLPublicComment@lincolnshireil.gov at least two (2) days before the hearing will be published on the Village’s website and distributed to the Public Body before the hearing. Written comments received less than two (2) days before the hearing will be emailed to the Public Body but may not be posted on the Village’s website.

CALL TO ORDER

1.0 ROLL CALL

2.0 APPROVAL OF MINUTES

- 2.1 Approval of the March 10, 2020, Zoning Board Meeting Minutes

3.0 ITEMS OF GENERAL BUSINESS

- 3.1 **Continued Public Hearing** regarding Text Amendments to Revise Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code to Define and Regulate Certain Accessory Structures and Uses, including:

- 3.1(a) Temporary Season-Extending Growing Structures;
- 3.1(b) the Harboring of Bees on Non-Residential Property;
- 3.1(c) the Harboring of Chickens on Residential Property; and
- 3.1(d) the Number/Type of Accessory Structures Permitted on Residential Property (Village of Lincolnshire)

- 3.2 **Public Hearing** regarding Text Amendments to Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code to Define and Regulate Massage Businesses as Special Accessory Uses (Village of Lincolnshire)

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 CITIZEN COMMENTS

7.0 ADJOURNMENT

Reasonable accommodations or auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings. Please contact the Village Administrative Office (847-883-8600) at least 48 hours in advance if you need any special services or accommodations. The Zoning Board will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Zoning Board members to do so. Any agenda items or other business that are not addressed within this time frame will be continued to the next regularly-scheduled Zoning Board Meeting.

MINUTES
ZONING BOARD MEETING
Tuesday, March 10, 2020

Present:

Chair Bichkoff
Member Hersh
Member Kalina
Alternate Member Kelly
Assistant Village Manager/Community &
Economic Development Director Gilbertson

Member Udoni
Member Curtin
Member Josephson
Trustee Harms Muth

1.0 ROLL CALL

Chair Bichkoff called the meeting to order 7:00 p.m. Assistant Village Manager/Community & Economic Development Director Gilbertson ("AVM/CEDD Gilbertson") called the roll and declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the minutes of the Zoning Board meeting held on Tuesday, November 12, 2019.

Member Kalina moved and Member Udoni seconded the motion to approve the minutes as presented for the November 12, 2019 Zoning Board.

AYES: Hersh, Kalina, Udoni, Curtin, Josephson, and Bichkoff

NAYS: None

ABSENT: None

ABSTAIN: None

Chair Bichkoff declared the motion carried.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Public Hearing for a Major Amendment to a Special Use (Ordinance No. 92-1226-04), as Amended, for the Construction of a 106,400-Square-Foot Building Addition and Related Zoning Variances (1-3 Stevenson Drive - Adlai E. Stevenson High School District 125)

3.2 Public Hearing regarding Zoning Variances to Ratify Existing Improvements related to the Construction of a 106,400-Square-Foot Building Addition (1-3 Stevenson Drive - Adlai E. Stevenson High School District 125)

Chair Bichkoff recommended the Zoning Board consider public hearings for Items 3.1 and 3.2 together, given the relatedness between the requests. He reviewed the public hearing rules and procedures.

Chair Bichkoff recessed the Zoning Board meeting and convened the Public Hearings on items 3.1 and 3.2.

AVM/CEDD Gilbertson stated Adlai E. Stevenson High School District 125 (D125) seeks a major amendment to a special use to construct a 106,400-square-foot building addition to the existing field house to accommodate projected student enrollment growth. AVM/CEDD Gilbertson stated D125 is seeking the following variances to for the proposed building addition:

- Exceed the 0.25 floor area ratio requirement per Village code section 6-5A-3-A-4 (currently 0.2852, increasing to 0.3172).
- Exceed the 30% maximum impervious surface requirement per Village code section 6-5A-3-A-6 (currently 41.78%, increasing to 43.17%).
- Ratify a reduction in the minimum required length of a parking stall from 19' per Village code section 6-11-2-C (currently 18' in Lot D, immediately east of the proposed addition).
- Ratify a reduction in the minimum required width of drive aisles from 27' per Village code section 6-11-2-C (currently 24' aisles in Lot D).
- Request a reduction in the number of parking lot islands per Village code section 6-11-2-E-5 and Figure 2 in Village code section 6-11 (required number is 15, while D125 proposes 11).

AVM/CEDD Gilbertson summarized previous additions to the school campus. He added the Village Board was receptive of the proposal during the January 13, 2020, Committee of the Whole meeting; however, the Village Board requested D125 to focus on enhanced landscaping and balance of green space, and to provide additional detail on parking and circulation throughout the campus. AVM/CEDD Gilbertson stated staff has discussed these concerns with D125 in preparation for the public hearings.

AVM/CEDD Gilbertson stated the district is proposing this addition to accommodate an expected student enrollment increase of 10% over the next several years. In regards to current parking requirements, AVM/CEDD Gilbertson noted based upon school district projections, Village Code would require 1,231 parking spaces, and that the school currently provides 1,233 spaces. AVM/CEDD Gilbertson stated the proposed addition and site improvements will result in a loss of 95 of those parking spaces. Despite projections indicating an increase in enrollment, AVM/CEDD Gilbertson said a variance for total parking stalls is not appropriate because the projections may never materialize. AVM/CEDD Gilbertson stated the expansion project is under review with Lake County Storm Water Management Commission (SMC). Both the Village and D125 satisfied public hearing notification requirements.

Chair Bichkoff requested anyone representing the petitioner who would provide testimony be sworn in. The following persons were sworn in: Sean Carney, Assistant Superintendent of Business, Adlai E. Stevenson High School District 125; Kevin Havens, Architect, Wight and Company; Steve Corcoran, Traffic Engineer, Eriksson Engineering Associates; and Steve Gregory, Landscape Architect, Eriksson Engineering Associates.

Upon request of Mr. Carney, Chair Bichkoff entered into the record the findings of fact as presented in the petitioners packet.

Mr. Carney presented an overview of the addition referred to as the East Building Addition, Phase II, stating D125 anticipates student enrollment growth in the next several years as a result of multiple residential developments within the district as well as current student enrollment in the feeder schools. Mr. Carney stated that as a result of D125's reputation and awards, the district continues to draw families from outside the district.

Mr. Carney reviewed the student population projections compiled by their demographer. He stated current enrollment for fall 2019 is approximately 4,287, and that projected enrollment for the 2029-30 school year indicates an increase to 4,914 students.

Mr. Carney reviewed previous construction and improvement projects. He presented the goals for the Phase II expansion, consisting of non-traditional classrooms including a gym, open spaces, utility infrastructure, and energy efficiency structures and practices. He added student services areas will also be part of this space. Mr. Carney said the existing field house was built in 1994 and intended for a capacity of 1,000 students. Mr. Carney stated the expansion of the existing field house will be to north to Stevenson Drive and east into existing Parking Lot D.

Kevin Havens, Architect, Wright and Company stated the project will be undertaken in phases to include expansion of the existing peaker plant, relocation and upgrade of utilities, and finally expansion of the field house including a multi-level fitness area.

Mr. Carney presented the interior improvements to include student services expansion, locker rooms, and training area in the field house. The project will also include an open gathering area which will double as a break out area for students and teachers. Mr. Carney stated the second story will include a wellness area for students to attend physical education classes. The space would also provide more class options for students. He stated the second floor of the addition will include outdoor and indoor cardio spaces. Mr. Carney said while the space is being utilized during the day as curricular space, after school will allow students the opportunity to work out, gather, and relieve stress.

Mr. Havens presented the exterior elevations of the project which will provide a continuum of the existing architecture.

Steve Gregory, Landscape Planner, Erickson Engineering Associates presented the landscape plan and acknowledged the Village Board's prior comments during the January 13 Committee of the Whole meeting. Mr. Gregory stated additional green space has been added, and the plant pallet is identical to the Phase I east building. Mr. Gregory stated the school decided to plant trees with a minimum 4" caliper, which exceeds code requirements.

Mr. Carney discussed site and circulation improvements and efforts to improve the flow of traffic including reconfiguration of parking lots and reconfiguration of the Port Clinton Road entrance, noting these improvements have resulted in a reduction in vehicular back up. Mr. Carney discussed off-site parking arrangements with neighboring corporate centers for special events which utilize shuttle busing. Mr. Carney noted while the school does provide student parking, student parking is a privilege and not a requirement. Mr. Carney stated the school has worked with Lake County, adjacent municipalities, and Vernon Township to restrict off-site parking on area streets as well as turning restrictions on certain roads. He added the school continues to identify possible site and procedural changes. Additional bus routes have been added as have additional after school bussing options.

Steve Corcoran, Director of Traffic Engineering, Erickson Engineering Associates presented an overview of the traffic study. Mr. Corcoran stated the Phase II traffic study builds upon the study completed for the Phase I addition from 2017. Mr. Corcoran said their studies indicated 60% of student traffic comes from the west portion of the district. Mr. Corcoran discussed on-site circulation, separate bus lots, and student pick up locations. He stated based upon their traffic study, the school anticipates a 10% increase in traffic through 2027. Mr. Corcoran said traffic counts taken in November 2019 indicated approximately 2,700 vehicle trips into and out of the campus in the morning, with approximately 1,300 trips into and out of the campus in the afternoon. The difference between morning and afternoon trips is due to early release schedules. Mr. Corcoran added they anticipate the need for continued use of police traffic control at Port Clinton Road.

Mr. Corcoran reviewed the parking inventory and survey. He stated the peak demand showed 980 total parked cars, or 79% of total spaces. He presented a parking demand survey which indicated a surplus of spaces after construction of Phase II is complete. Mr. Corcoran referenced the parking stall size variances as part of the current request. If D125 were to comply with Village code parking stall size requirements, this would result in a 10-15% loss of spaces.

Mr. Carney discussed parking studies and current data, stating D125 wants to ensure enough capacity for staff and students but also keep unassigned spaces for visitors and contractors. He added current student parking trends indicated a drop in student parking now and in the future. Mr. Carney said while the Phase II project will reduce the total number of parking spaces, D125 is looking at plans and formulating ideas to reduce the number of student cars. One idea being considered is to introduce carpooling as an incentive. Those who carpool will be allowed additional grading periods to park and at a cheaper price. D125 is also evaluating bus and parent drop off/pick up, as well as possibly eliminating busses in certain lots to improve circulation. Mr. Carney stated the district is not considering above ground parking due to cost, safety, and aesthetics. He acknowledged the school is landlocked, and that D125 is always looking for opportunities to expand parking through property acquisition as they become available.

Mr. Carney discussed the need for additional emergency access on the east side of the campus, stating as part of the Phase II project the sidewalk connecting Stevenson Drive to Hotz Road will be widened to allow emergency vehicles into the site. Mr. Carney also discussed parking capacity during special events relative to required parking regulations, stating capacity during special events does not present problems as they are held after school, with D125 leadership planning ahead to use shuttles and off-site corporate parking. In closing, Mr. Carney said the schedule for Phase II will be for construction to begin in May 2020 with completion in August 2022.

Member Kelly commented on the variance requests relative to anticipated student growth. Member Kelly expressed concern regarding the increase in impervious surface and subsequent impact on drainage and flooding. Mr. Carney replied the campus has sufficient storm water detention in place, by way of recently added underground detention with the tennis court parking lot project in 2019.

George Dreger, Civil Engineer, Erickson Engineering Associates, was sworn in. Mr. Dreger stated two large storm traps and a detention pond were installed on site in 2019 with Phase II improvements in mind. AVM/CEDD Gilbertson stated the Lake County Stormwater Management Commission has final authority to approve stormwater detention plans. Member Kelly inquired about future staff growth and related parking needs. Mr. Carney stated with the reduction in student parking, staff growth will be accommodated, reiterating student parking is a privilege D125 provides. Member Kelly acknowledged a parking garage as a solution, and acknowledged cost implications of that solution, but so are the additions with marginal traditional classroom space being added. Mr. Carney replied the cost to construct a parking structure is \$30,000 per spot and said he does not feel the community would agree this was a good use of money. Member Kelly said argument on costs goes both ways. Mr. Carney noted this is the first year they have not sold out of parking spots for first and second grading periods. Member Kelly asserted a small sample of parking survey on one day may not be indicative of future trends. Mr. Dreger commented his and other Eriksson Engineering Associates' experience with parking was that spaces were available when they needed to be on campus. Member Kelly inquired about the parking stall variance request and what would happen to parking on campus if all stalls were code-compliant. Mr. Dreger said the campus would lose 10-15% of total parking stalls if they came into compliance with Village code.

Member Curtin inquired about staging of equipment and contractors during construction. Mr. Carney stated staging will take place in a temporary fenced parking lot across from field house. Member Curtin commented on the slow movement of traffic absent police control. Member Curtin asked if D125 had modeling on parking/circulation impact during construction. Mr. Carney stated the reduction in parking spaces will start in summer 2020. New bus lanes will immediately be constructed, and contractors will arrive and leave before students. Mr. Carney added the D125 school board will need to determine what to do with the temporary parking lot once Phase II project is complete.

Chair Bichkoff opened the floor to public comment.

Howard Jepsy, 23260 N. Hotz Road, was sworn in. Mr. Jepsy asked if the Prairie View Metra train station parking lot is part of the lots controlled by the school, and if only seniors permitted to park on campus. Mr. Carney said the Metra station lot is controlled by Vernon Township, and the Township is allowing student parking for a fee. Mr. Jepsy said there are numerous residences on his street permitting students to park in driveways and, as a result, he is concerned with traffic on Hotz Road. Mr. Jepsy also spoke of the number of cars parking on Indian Creek Road, and the Hotz Road / Indian Creek Road intersection is becoming a hazard. Mr. Jepsy also commented on lack of police presence enforcing parking restrictions.

Member Kalina acknowledged student growth in the district, but asked if more field house space was justified. Upon questioning from Member Kalina, Mr. Carney stated if the variances are not granted, there would be reductions in athletic and P.E. courses. Member Kalina asked if the school board has a mechanism to stop the growth in the district or possibly construct another school building off the current campus. Mr. Carney stated the district must educate students within their boundaries, and that he has concerns about residential growth in the surrounding communities and the impact on Stevenson. Member Curtin asked if redistricting is an option. Mr. Carney said neighboring towns and districts would have to be willing to accept students but added neighboring school districts are facing the same student population growth issues. Mr. Carney noted there are other school districts that have multiple school buildings, but that when a referendum was held in the early 1990's about building an additional school, voters indicated they did not want an additional school building.

Member Kelly inquired about parking pass costs. Mr. Carney said parking passes are \$60/term. Member Curtin stated D125 must develop a plan to deal with off campus parking and traffic issues if D125 continues to take away student spaces.

In response to resident Mr. Jepsy's comment about private parking in residential area, Mr. Carney stated Lake County code prohibits this, but D125 cannot enforce County parking regulations.

Chair Bichkoff asked if there are incentives to encourage students to take the bus. Mr. Carney stated they did try a program a few years ago but did not have an impact. D125 has considered ideas such as free Wi-Fi on busses to get students to ride and will continue to investigate incentives.

Member Josephson stated his concern with lack of coordination between municipalities and D125 in enforcing or restricting off-site student parking. Neighboring municipalities and Lake County need to enhance enforcement as Lincolnshire cannot deal with this alone. Member Curtin asked if the school has any regulation over students parking off-site and walking to the campus. Mr. Carney said no, students are allowed to walk to school. Mr. Carney said the district has worked with Buffalo Grove and Lake County to prohibit

parking in private driveways, D125 does not encourage the Metra to sell spaces.

Trustee Harms Muth noted the lack of options for Lincolnshire to enforce off-site parking. There was discussion regarding D125 coming up with a long-term solution for the parking limitations on campus. AVM/CEDD Gilbertson suggested a more formal report from the school district on different bussing options into and out of the site. There was discussion regarding D125 continuing to review opportunities for carpooling, shuttle services, and additional parking options. Member Josephson stated the projected student growth and parking shortage will continue to be a problem for Lincolnshire as students will park elsewhere. Member Josephson said he would like to see included in the motion to the Village Board a request for further study of both off-site and on-site parking.

AVM/CEDD Gilbertson discussed ways the Zoning Board could condition their motion for this item, including further analysis of parking and circulation being provided to the Village Board for further consideration.

Mr. Jepsky stated he does not see limiting students from driving or making them take the bus as a viable option. Better use of sidewalks or empty parking lots at neighboring business centers would be a more plausible option for students and their safety.

Chair Bichkoff asked if D125 is considering a green roof, and if this would alleviate the need for impervious surface requirements, Mr. Carney indicated it would not affect the request for the impervious surface variance request, but D125 intends to include solar panels on the new roof.

Joy Serauskas, 1 Fairfax Lane, was sworn in. Ms. Serauskas suggested the D125 consider a different surface to mitigate water and impervious surface. Ms. Serauskas suggested investigating parking regulations and enforcement in Buffalo Grove with respect to parking student vehicles on private property.

There was discussion regarding moving forward with a motion, and possibly continuing the hearing to address the parking/circulation issues, or requesting the Village Board to look further into the offsite parking issues.

Member Udoni stated physical education class selections are being impacted now, and there is a need for this expansion. Member Josephson asked if there was a study on the number of students parking off-site. Mr. Carney said estimated a couple of hundred students parking off-site.

There being no further testimony, Chair Bichkoff closed the public hearing at 9:09 p.m.

Chair Bichkoff reconvened the Zoning Board meeting.

Member Curtin moved, seconded by Member Kelly, to recommend approval to the Village Board the proposed major amendment to a special use for the construction of a 106,400-square-foot building addition located at 1-3

Stevenson Drive, and also moves to recommend approval to the Village Board the proposed zoning variances to ratify existing improvements related to the construction of a 106,400-square-foot building addition located at 1-3 Stevenson Drive, as presented in the petitioner's presentation packet, with the cover letter dated March 2, 2020, and further subject to additional study into alternative plans to address current parking issues on and off campus. The roll call vote was as follows:

AYES: Udoni, Hersh, Curtin, Kalina, Josephson, and Bichkoff

NAYS: None

ABSENT: None

ABSTAIN: None

Chair Bichkoff declared the motions passed.

Chair Bichkoff recessed the Zoning Board at 9:14 p.m.

Chair Bichkoff reconvened the Zoning Board meeting at 9:19 p.m.

3.3 Public Hearing regarding Text Amendments to Revise Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code to Define and Regulate Certain Accessory Structures and Uses, including Greenhouses, Hoop Houses, the Harboring of Chickens on Residential Property, and the Harboring of Bees on Nonresidential Property (Village of Lincolnshire)

Chair Bichkoff recessed the Zoning Board meeting and convened the Public Hearings on item 3.3.

AVM/CEDD Gilbertson noted these items were presented to the Village Board during the Committee of the Whole meetings on January 27, 2020 and February 19, 2020. He added Village staff receives a few requests each year about keeping chickens. In October 2019, Village staff discovered a resident keeping chickens on their property, which provoked further consideration by the Village Board. AVM/CEDD Gilbertson stated the Marriott Lincolnshire Resort has been keeping 10-12 bee hives on their property for several years to use honey in their food products sold in their restaurants. AVM/CEDD Gilbertson said the Village expressed a desire to work with the Marriott to allow continuation of their beekeeping and further directed staff to investigate a pilot program to permit chicken coops in residential zoning districts.

In addition to the direction from the Village Board regarding a pilot chicken coop program, AVM/CEDD Director Gilbertson said the Village Board gave directions to proceed with regulations on hoop houses, high tunnels, and greenhouses to distinguish between seasonal structures and greenhouses while also tightening regulations regarding greenhouse structures in terms of structural maintenance. AVM/CEDD Gilbertson reviewed the regulations regarding temporary and accessory structures, adding that hoop houses or high tunnels can more easily fall into a state of disrepair, while green houses are a more permanent structure.

AVM/CEDD Gilbertson reviewed staff's recommendations on permitting bee hives in the B1 and B2 zoning districts to allow the Marriott to continue its beekeeping by way of its special use permit. There was discussion regarding safety issues with the public. AVM/CEDD Gilbertson stated Marriott staff indicated they have not had any complaints or incidents.

AVM/CEDD Gilbertson presented findings of chicken keeping surveys conducted by staff. He stated Lake Bluff and Highland Park are in a pilot program phrase which limits the number of total coops allowed in their respective towns as well as other regulations regarding location, size, and construction standards for coops. AVM/CEDD Gilbertson presented photos of a chicken coop located at a Deerfield residence. AVM/CEDD Gilbertson indicated if the Zoning Board and Village Board approve staff recommendations, this pilot program will be administered by CED staff for permit review, compliance, and code enforcement.

AVM/CEDD Gilbertson requested direction from the Zoning Board on the pilot program regulations presented by staff.

Member Kelly asked about enforcement. AVM/CEDD Gilbertson said it would be on a complaint basis for those not licensed and follow up by code enforcement on those that have obtained village licenses. Member Kelly asked if Village staff can legally enter property to check on licensed coops. AVM/CEDD Gilbertson indicated this would be written into the code.

Chair Bichkoff asked if there has been much interest or calls. AVM/CEDD Gilbertson stated one resident inquired about chicken keeping, and then advised staff of an existing coop.

Member Josephson inquired about fencing, and that requiring fences may be needed but that the Zoning Board would have to consider the open character of Lincolnshire. He noted his concern about children getting into the coop if not protected or properly fenced in.

Chair Bichkoff opened the floor to public comment.

Jodi Dirks, 35 Kings Cross, was sworn in. Ms. Dirks said she attended the Committee of the Whole meetings and did not recall discussions regarding setbacks. AVM/CEDD Gilbertson stated those requirements were not discussed as it was a conceptual discussion only. Ms. Dirks stated her property is on a corner lot and hill, and that relocating the coop to meet the proposed standards would be problematic. Member Kalina asked her about her coop. Ms. Dirks stated she had four hens and the coop is self-contained. This has provided both an educational experience and responsibilities for her children. She added they have had no complaints from neighbors. She noted she is more concerned about coyotes getting her dogs than into her coop.

Member Kelly asked if Ms. Dirks' coop would meet the requirements as proposed. AVM/CEDD Gilbertson said the height of six feet might be an issue depending on style, adding the Village Board indicating they did not want to go as high as 8 feet.

Joy Serauskas, 1 Fairfax Lane, was sworn in. She said one of the purposes of zoning is to protect property values. She believed allowing chickens and coops would not protect property values. She also asked who would ensure compliance, adding coops are an attractive nuisance with coyotes. While she understands a resident can be a responsible owner, not all residents may follow the rules. AVM/CEDD Gilbertson said CED staff would be responsible for enforcement, adding if one cannot meet the standards, the coop would not be permitted.

Chair Bichkoff read into the record an email from a resident who expressed concerns regarding diseases that poultry can cause. Member Kalina said while noteworthy, dogs can cause same problem. He also suggested staff further evaluate setbacks to prevent coops from being visible from the street. Member Josephson asked if staff has contacted a veterinarian, doctor, or realtor for their thoughts. AVM/CEDD Gilbertson indicated staff would look into this for further consideration.

Chair Bichkoff summarized the Zoning Board concurs with the recommendation for bee keeping in Business Districts as recommended by staff as well as prohibiting seasonal structures such as a hoop house or other temporary structure. Chair Bichkoff directed staff to get information or testimony from subject matter experts regarding public health implications and property values.

Member Josephson motioned, seconded by Member Udoni, to continue the public hearing to April 10, 2020.

AYES: Udoni, Hersh, Curtin, Kalina, Josephson, and Bichkoff

NAYS: None

ABSENT: None

ABSTAIN: None

Chair Bichkoff declared the motion passed

3.4 Public Hearing regarding Text Amendments to Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code to Define and Regulate Massage Businesses as Special Accessory Uses (Village of Lincolnshire)

The Zoning Board elected to not discuss this item and did not open the public hearing.

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 CITIZENS COMMENTS

Ms. Joy Serkauskas suggested staff perform research from communities that do not permit chicken coops.

7.0 ADJOURNMENT

Member Kalina moved and Member Udoni seconded the motion to adjourn the Zoning Board Meeting. The voice vote was unanimous and Chair Bichkoff declared the meeting adjourned at 10:25 p.m.

Minutes submitted by Carol Lustig, Administrative Assistant, Community & Economic Development.

DRAFT

ITEM SUMMARY

Reviewing Body / Meeting Date:	Zoning Board – August 11, 2020
Subject:	Residential Chicken Keeping Pilot Program, Beekeeping on Nonresidential Property, and Residential Seasonal/Accessory Structures
Action Requested (Address – Petitioner):	Continued Public Hearing regarding Text Amendments to Revise Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code to Define and Regulate Certain Accessory Structures and Uses, including: 3.1(a) Temporary Season-Extending Growing Structures; 3.1(b) the Harboring of Bees on Non-Residential Property; 3.1(c) the Harboring of Chickens on Residential Property; and 3.1(d) the Number/Type of Accessory Structures Permitted on Residential Property
Prepared By:	Ben Gilbertson – Assistant Village Manager/Community & Economic Development Director
Staff Recommendation:	Feedback and direction to staff. Recommendation to the Village Board.
Meeting History:	Committee of the Whole – January 27, 2020 Committee of the Whole – February 10, 2020 Zoning Board – March 10, 2020
Tentative Meeting Schedule:	Committee of the Whole – September 14, 2020 Regular Village Board – September 29, 2020
Reports and Documents Attached:	<ol style="list-style-type: none">1) Zoning Board Agenda Packet – March 10, 20202) Redlined versions of Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code3) Findings of fact for beekeeping accessory uses and structures, prepared by the Village Attorney and staff4) Findings of fact for accessory seasonal/accessory structures, prepared by the Village Attorney and staff5) Findings of fact for backyard chicken keeping uses and structures, prepared by the Village Attorney and staff6) Certificate of publication for the public hearing notice in the February 24, 2020 edition of the <i>Daily Herald</i>7) Certificate of publication for the public hearing notice in the July 25, 2020 edition of the <i>Daily Herald</i>8) <i>Food Safety News</i> – “Almost 100 sick in Salmonella outbreak linked to backyard poultry flocks” – May 21, 20209) <i>The North Shore Weekend</i> – “Fly the Coop” – June 21, 202010) <i>CNN</i> – “One person has died and 465 people have gotten sick after interacting with pet poultry” – June 25, 202011) Public comment received prior to August 6, 202012) Staff’s presentation for the August 11, 2020 Zoning Board Meeting

Background

The Zoning Board opened and continued a public hearing on March 10, 2020, to discuss the following items related to urban agriculture and potential amendments to Title 6 (Zoning) of the Lincolnshire Village Code ("Village code"):

- 1) Regulating accessory structures and temporary season-extending growing structures. Specifically, these amendments would prohibit hoop houses, high tunnels, and similar temporary season-extending growing structures. Greenhouses would be continue to be permitted.
- 2) Harboring of bees on non-residential property. Specifically, these amendments would allow the Marriott Resort to maintain several beehives on its property, sell the honey in the hotel gift shop, and use the honey in various food items within its restaurants.
- 3) Harboring of chickens on residential property. Specifically, these amendments would regulate the location, materials, height, and square footage of chicken coops as accessory structures. Additional regulations of the potential backyard chicken pilot program would be subject to Title 11 (Misdemeanors), Chapter 13 (Animals) of the Village code and are not within the purview of the Zoning Board (e.g., number of hens permitted, inspection process, licensing). The Village Board would need to remove the current prohibition against chicken keeping to allow implementation of the pilot program.

With respect to items 1 and 2 above, it was the consensus of the Zoning Board to recommend prohibition of hoop houses, high tunnels, and similar temporary season-extending growing structures, as well as recommend beekeeping as a special accessory use in the B zoning districts for properties that are 100 acres or greater. Findings of fact for both items can be found in this packet.

With respect to item 3, the Zoning Board did not request staff to amend the initial recommendations regarding coop location, materials, or square footage. However, the Zoning Board did request staff to amend the proposed maximum height of coops to increase from 6' to 7' to allow for easier cleaning. Additionally, the Zoning Board directed staff to research the impact of backyard chicken keeping on property values, as well as health considerations related to interacting with chickens. Below are summaries of staff's research regarding property values and health considerations, as well as revised parameters for the potential pilot program based on direction from the Zoning Board.

Property Values

Staff contacted three real estate professionals with Berkshire Hathaway, @Properties, and the Illinois Realtors Association. Based on their experience and knowledge of the industry, none of the individuals surveyed indicated a positive or negative impact of backyard chicken keeping on property values. Additionally, the Illinois Realtors Association does not have an official position on the matter. Each of the persons surveyed acknowledged the poor maintenance of chicken coops may negatively impact property values; however, they also recognized deficient upkeep of any kind may have similar effects.

Health Considerations

Staff consulted with a variety of resources to determine if backyard chicken keeping may expose persons to an elevated risk of zoonotic diseases. The Centers for Disease Control and Prevention maintains a [Backyard Poultry website](#) that provides guidance for keeping humans and chickens safe from disease. Staff also spoke with a representative from the Lincolnshire Animal Hospital for their insight. Salmonella and E. coli are common bacteria associated with chicken feces. Bird/avian flu is rarely spread from chickens to humans. Generally, health risks associated with backyard chicken keeping can be mitigated with proper hygiene. Washing hands immediately before and after tending to chickens; keeping a separate pair of shoes outside the home when cleaning a coop; thoroughly washing eggs; and mitigating direct contact between people and chickens are all ways to reduce health risks.

Parameters for Potential Pilot Program

Based on feedback received during the March 10, 2020, Zoning Board meeting, staff have updated the proposed parameters for a backyard chicken keeping pilot program. The only change from staff’s original recommendation was the height of the coops (increased from 6’ to 7’). To reiterate, regulations of the potential program beyond zoning restrictions as proposed in Village code section 6-3 would be subject to Title 11 (Misdemeanors), Chapter 13 (Animals) of the Village code. The Village Board has the authority to modify all aspects of the program, whereas the Zoning Board can make recommendations only on location, materials, height, and square footage of chicken coops as accessory structures.

Table 1: Potential Backyard Chicken Regulations – Village of Lincolnshire

# of Hens Permitted	<ul style="list-style-type: none"> • 4 (roosters prohibited)
Housing	<ul style="list-style-type: none"> • Predator- and extreme weather-proof • No taller than 7’ • Minimum floor area of 24 sq. ft. (6 sq. ft./4 hens), maximum floor area of 60 sq. ft. • Requires permit from village prior to construction, addition, or modification • Plat of survey showing proposed coop location provided at time of permit application • Must be clean and sanitary at all times • Feed must be kept in rodent-proof container • Building materials must substantially match the color of the principal structure
Coop Location	<ul style="list-style-type: none"> • Single-family residential properties • Minimum lot size = 20,000 sq. ft. • Rear yard • Minimum 10’ from neighboring property lines and not within established setbacks • Within 10’ from principal structure
Restrictions	<ul style="list-style-type: none"> • Nuisances regarding odor, litter, droppings, other waste, and the like is prohibited • Hens must be confined to coop or enclosed run at all times • Permitted only for single-family residential properties • Slaughtering of chickens and storage of materials are prohibited
Licensing	<ul style="list-style-type: none"> • Capped at five for the entire village • Valid for 12 months. Annual renewal required. If not renewed, owner has 30 days to remove all fowl and related facilities from premises • Village-issued license required • Applicants must provide copy of application to all abutting property owners • Owners must register with IDOA Livestock Premises Registration

Chicken Coop Screening and Location

The Zoning Board discussed possible screening requirements for chicken coops during the March 10, 2020, meeting. Lincolnshire’s fence regulations provide for 6’-tall, solid, residential fences only adjacent to Half Day Road or Riverwoods Road. Fences in the R1 and R2 zoning districts may also be 6’ in height, so long as they are made of ornamental metal materials. All other residential fences must be of an open style and no taller than 4’.

Conversely, Lake Bluff and Highland Park generally permit 6’-tall solid fences in residential zoning districts. Deerfield allows 7’-tall tall solid fences. These fence heights and opacity provide additional screening of chicken keeping and coops from adjacent properties. Given Lincolnshire’s historical emphasis on a sense of open, shared space amongst residential rear yards, staff does not recommend additional fence screening requirements for chicken coops, be it with fencing or landscaping. This sense of openness would also be preserved by requiring coops to be placed within 10’ of the principal structure, similar to storage structures (i.e., storage structures are required to be placed within 5’ of principal structure).

Accessory Structures

As part of the discussion regarding a potential pilot program and corresponding chicken coops, the Village Board also requested feedback from the Zoning Board regarding the quantity and type of permitted

accessory structures. Village code section 6-2-2 defines “accessory structures” as “[a] structure detached from the Principal Structure located on the same lot and customarily incidental and subordinate to a principal building or use, in terms of size, area, extent or purpose.” Village code currently caps the number of accessory structures at two. The structures cannot be the same type, except for play structures (e.g., play house, jungle gym, swing set). Several Village Board members expressed concern with chicken coops being permitted as one of the two accessory structures, and possibly limiting the number of accessory structures to one if it qualifies as a chicken coop. Staff also asks the Zoning Board to consider the exception for two play structures on a property, and if that exception should be eliminated (i.e., only one play structure is permitted, with another accessory structure also allowed).

Findings of Fact

Staff requests the Zoning Board review the responses and determine if each standard has been satisfied prior to recommending approval of the request. Specifically, staff have included findings of fact for prohibition of hoop houses, high tunnels, and similar temporary season-extending growing structures; allowing non-residential beekeeping; and allowing backyard chicken keeping, based on the feedback received from the Zoning Board to date.

Public Hearing Notices

Public hearing notices were published in the February 24, 2020, and July 25, 2020, editions of the *Daily Herald*.

Staff Recommendation / Conditions

Staff requests further direction by the Zoning Board with respect to backyard chicken keeping and a potential pilot program to be further considered by the Village Board. If the Zoning Board believes it has received sufficient information, staff requests a recommendation to the Village Board.

Approval Process

Village code section 6-14-8 outlines the general application process for text amendment requests. Specifically, a preliminary evaluation is required with the Village Board, which occurred on February 10, 2020. Following preliminary evaluation, a public hearing with the Zoning Board is required before final consideration and potential approval by the Village Board. A proposed schedule is provided in the Item Summary table on page 1. The Village Board will take separate action on Chapter 13 of Title 11 regarding the restriction on keeping of chickens.

Motion

3.1(a) – Temporary Season-Extending Growing Structures: *The Zoning Board moves to recommend approval to the Village Board the proposed text amendments to Chapter 2 (Zoning Definitions) and Chapter 3 (General Zoning Regulations) of Title 6 (Zoning) to define and regulate accessory structures, including hoop houses and similar temporary season-extending growing structures, and further subject to...*

3.1(b) – Harboring of Bees on Non-Residential Property: *The Zoning Board moves to recommend approval to the Village Board the proposed text amendments to Chapter 3 (General Zoning Regulations) of Title 6 (Zoning) to define and regulate accessory structures and uses, including the harboring of bees and beehives on nonresidential property, and further subject to...*

3.1(c) – Backyard Chicken Keeping: *The Zoning Board moves to recommend approval to the Village Board the proposed text amendments to Chapter 3 (General Zoning Regulations) of Title 6 (Zoning) to define and regulate accessory structures and uses, including the keeping of chickens on residential property, and chicken coop requirements, and further subject to...*

3.1(d) – Number/Type of Accessory Structures Permitted on Residential Property: *The Zoning Board moves to recommend approval to the Village Board the proposed text amendments to Chapter 3 (General Zoning Regulations) of Title 6 (Zoning) to regulate accessory structures by limiting the number of accessory structures to one if such structure is a chicken coop, and by removing the current exception for up to two play structures as permitted accessory structures, and further subject to...*

**TITLE 6: ZONING
CHAPTER 2: DEFINITIONS**

SECTION:

**6-2-1: Rules of Word Construction
6-2-2: Definitions**

6-2-1: RULES OF WORD CONSTRUCTION

The language set forth in the text of this Zoning Code shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural and the plural the singular;
- B. The present tense includes the past and future tenses, and the future the present;
- C. The word "shall" is mandatory, while the word "may" is permissive;
- D. The masculine gender includes the feminine and neuter;
- E. Whenever a word or term defined hereinafter appears in the text of this Zoning Code, its meaning shall be construed as set forth in the definition thereof; and any word appearing in parenthesis, between a word and its definition herein, shall be construed in the same sense as that word;
- F. All measured distances, expressed in feet, shall be to the nearest integral foot; if a fraction is one-half foot ($\frac{1}{2}$ ') or more, the integral foot next above shall be taken;
- G. Words contained in this Code and not defined hereinafter shall assume definitions as set forth in Merriam-Webster's dictionary (website edition; www.merriam-webster.com);
- H. Unless otherwise specified, all distances shall be measured horizontally.
- I. Graphic illustrations are used herein to demonstrate the intent of the definition language. In any case of conflict between a graphic illustration and the text definition, the text shall prevail.

6-2-2: DEFINITIONS

The following words and terms, wherever they occur in this Zoning Code shall be defined as follows:

ACCESSORY STRUCTURE

A structure detached from the Principal Structure located on the same lot and customarily incidental and subordinate to a principal building or use, in terms of size, area, extent or purpose.

ACCESSORY USE

A use of land, structure or a portion thereof customarily incidental and subordinate to the principal use of the land or building, in terms of intensity or purpose, and located on the same lot with the principal use.

ADVERTISING DEVICE

Any advertising sign, billboard, or poster panel which directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such sign is located or to which it is affixed; but does not include those advertising signs, billboards, or poster panels which direct attention to the business on the premises or

to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

ADJACENT

Lying near or in the immediate vicinity.

ADJOINING

Touching or contiguous to; or to be in the neighborhood or vicinity of.

**ADULT-USE CANNABIS
BUSINESS ESTABLISHMENT**

A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization, all as defined in Section 1-10 of the Cannabis Regulation and Tax Act, 410 ILCS 705/1-10, but not including a medical cannabis cultivation center or a medical cannabis dispensary organization.

AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Included are truck-farming, growing of nursery stock, raising of fruit and berries, bee-keeping, and the retail sale of products grown or raised on the premises through one growing season.

Agriculture shall not include the commercial feeding of garbage or offal to swine or other animals or operating for the disposal of garbage, sewerage, rubbish, or offal. Also, excluded from agriculture are mechanized industrial animal farms, commercially operated greenhouses, commercial milk farms, and commercial dog kennels.

The land area (farm) necessary to constitute an agricultural use is five (5) acres.

AIRCRAFT

A contrivance, now known or hereafter invented, for use in or designed for navigation of or flight in the air.

AIRPORT

Any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other air-port facilities or rights of way, including all necessary taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings and open spaces.

**AIRPORT (LANDING STRIP
HELIPORT or HELISTOP)**

Any premises which are used, or intended, for use, or for the landing and take-off of aircraft; and any appurtenant areas which are used or intended for use as airport buildings or other airport structures or rights of way, together with all airport buildings and structures located thereon.

ALLEY

A right of way, with a width not exceeding twenty four feet (24') which affords a secondary means of access to abutting property.

ALTERATION

Any change in size, shape, character, occupancy, or use of a building or structure.

AMENDMENT

Any addition to, deletion from, or change, including text and/or map.

ANIMAL CLINIC/HOSPITAL	An establishment for the diagnosis and medical and surgical treatment of small domestic animals by persons qualified and authorized by appropriate licensing to treat injuries, illnesses and diseases of animals. All activity associated with animal clinics/hospital operations shall be conducted within a completely enclosed building.
ANIMAL HOSPITAL	A structure where animals or pets are given medical or surgical treatment. Use as a kennel, or for other boarding purposes, shall be limited to short-time and fully enclosed boarding and shall only be incidental to such hospital use. Also a "veterinary clinic".
ANTENNA	Any device or array that transmits and/or receives electromagnetic signals for voice, data or video communication purposes including, but not limited to, television, AM/FM radio, microwave, cellular telephone, personal wireless services and similar forms of communications.
APARTMENT	One or more rooms in a multi-family dwelling arranged, intended or designed as living quarters for an individual, group of individuals, or a family.
ASSEMBLY USE	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.
ATTIC	The space between the ceiling beams of a top habitable story and the roof rafters.
AUTOMOBILE LAUNDRY	A building or portion thereof containing facilities for (Car Wash) washing motor vehicles, using automatic production-line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, and equipment for the hand washing of autos, whether by the customer or the operator.
AUTOMOBILE REPAIR FACILITY	The general repair, including engine rebuilding or reconditioning, of motor vehicles; collision service such as body, frame and fender straightening and repair, and painting of motor vehicles.
AUTOMOBILE SERVICE FACILITY	Any building or premises used for the sale and installation of tires, batteries and other minor accessories and services for automobiles, but not including Automotive Repair Facility services; and may include washing of automobiles where no production line methods are employed. When the dispensing, sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage.
AUXILLARY USE	Retail and/or service use within the Office/Industrial (O/I) Districts, incidental to and to service the principal use for the convenience of the

employees.

AWNING

A roof-like cover, temporary in nature, which projects from the wall of a building and which may overhang the public way.

BASEMENT (CELLAR)

The portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

BASEMENT, ENGLISH

The portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground and which is finished for living space.

BERM

A hill of land that acts as a visual barrier between a lot and adjacent properties, alleys or streets.

BLOCK

A tract of land bounded by streets, or by a combination of one or more streets and public parks, cemeteries, railroad rights of way, bulkhead lines or shore lines of waterways, or corporate boundary lines.

BREWERY

A business which holds a Class 3, 10 or 11 manufacturer's license and/or a brewer warehouse permit from the State of Illinois.

BUILDABLE AREA

The area of the lot remaining after the minimum open space and/or yard requirements of this Code have been complied with.

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/COMPLETELY ENCLOSED

A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

BUILDING/DETACHED

A principal building surrounded by open space on the same lot. (Ord. 86-885-22)

BUILDING HEIGHT

The vertical distance from the established grade to the highest point of the roof of a building or the highest point of the roof including rooftop equipment screens, but excluding residential chimneys. The established grade shall be determined by taking the mean elevation of the finished lot grade at the front of the building. In residential districts, the established grade for any new dwelling units associated with the replacement or reconstruction, for any reason, of a previous dwelling unit shall be determined by taking the mean elevation of the lot grade at the front of the proposed building, prior to any new site grading. Established grade for development of a previously-vacant lot shall be determined by reference to the mean existing grade at the front yard setback line. (Amd. Ord. 04-1934-50, eff. 11/8/04)

BUILDING/RESIDENTIAL

A principal building arranged, designed, used or intended to be used for residential occupancy by one or more families.

BUILDING SIDE SETBACK PLANE	Defines the planes within which, except for permitted encroachments, all portions of a building must remain. The planes begin at specific points directly above the established grade at the side lot lines and run at a 45 degree angle toward the interior of the lot until they reach the maximum building height permitted on the lot. (Amd. Ord. 04-1934-50, eff. 11/8/04)
BUILDING/TEMPORARY	A building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed.
BULK	A composite characteristic of a given building or structure as located upon a given lot-not definable as a single quantity but involving all of these characteristics: <ul style="list-style-type: none"> A. Size and height of building or structure. B. Location of exterior walls at levels in relation to lot lines, streets, or to other buildings or structures. C. Floor area ratio. D. All open spaces allocated to the building or structure. E. Amount of lot area provided per dwelling unit.
BUSINESS	An occupation, employment or enterprise which occupies time, attention, labor, and materials, or wherein merchandise is exhibited, bought or sold, or where services are offered for compensation.
CANOPY	A roof-like structure projecting from a wall and supported in whole or in part by vertical supports from the ground, and erected primarily to provide shelter from the weather.
CARGO or FREIGHT TERMINAL	A building or premises in which cargo or freight is received or dispatched.
CARPORT	An open sided (on at least 2 sides), roofed automobile shelter, usually formed by extension of the roof from the side of a building.
CATERING ESTABLISHMENT	An establishment for commercial on-site food preparation specifically for off-site delivery and consumption of food.
CEMETERY	A permanent or semi-permanent burial place or receptacle for human remains, regardless of whether the remains are composed of the whole body or parts thereof and irrespective of the vessel in which the remains are held, encased or entombed. For illustrative purposes only, and not intended to be an exhaustive list, Cemetery includes a catacomb, cinerarium, columbarium, crypt, mausoleum, ossuary, sepulcher, sepulture, tomb, or vault. (Ord. 08-3070-53)
CERTIFICATE, OCCUPANCY	The written approval of the Zoning Administrator certifying that the building or structure, as constructed, conforms to the applicant's approved plans and drawings as authorized through the zoning certificate and is ready for occupancy.
CERTIFICATE, ZONING	The written approval of the Zoning Administrator certifying that the applicant's plans and drawings comply with all applicable provisions of

this Code. The "zoning certificate" may consist of a standardized independent form bearing the signature of the Zoning Administrator or it may be represented as a part of the building permit application.

CERTIFICATE OF ZONING COMPLIANCE

The written confirmation certifying compliance with the regulations set forth in Title 6, Zoning, including but not limited to any decisions, conditions or special requirements for any use or occupancy of a parcel of land.

CHILD DAY CARE CENTER

An institution or place in which are received three (3) or more children, not of common parentage, apart from their parents or guardian, for part or all of a day but not later than nine o'clock (9:00) P.M. This term includes but is not limited to nursery schools, child care centers, and day nurseries.

COMMON OPEN SPACE

Land or water unoccupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Common open space may contain walks, patios, and structures for recreational use. Area used for individual open space, such as private courtyards, and not available to all residents of the planned unit development shall not be included as common open space. (Ord. 86-885-22)

COMMUNICATIONS SUPPORT BUILDING

A structure for the protection and security of communications equipment associated with one or more antennas, where access to equipment is gained from the interior of the structure.

COMMUNICATIONS SUPPORT CABINETS

A casing or console used for the protection and security of communications equipment associated with one or more antennas, where direct access is provided from the exterior.

COMMUNITY RESIDENTIAL HOME

A dwelling unit owned or leased and operated to provide a living environment for twelve (12) or fewer unrelated residents who operate as the functional equivalent of a family unit and who receive support services and are under the supervision of a sponsor or support staff due to their developmental, physical or mental disability.

A community residential home shall not be construed to include a medical or nursing facility. A community residential home shall not include a residence which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance abuse or alcohol abuse or for treatment of a communicable disease. (Ord. 90-1182-66)

COMPATIBLE USE

A property, use, or service which is capable of direct association with certain other uses because it is complimentary, congruous, or otherwise non-detrimental.

CONCRETE RECYCLING, STORAGE AND SALES:

The process whereby previously manufactured concrete, without protruding metal bars, is received, stored, segregated, processed and remixed for sale to end markets in the form of raw materials or products.(Ord. 06-2948-40, eff. 8/14/06)

CONFORMING BUILDING or STRUCTURE	Any building or structure which: <ul style="list-style-type: none"> A. Complies with all the regulations of the Zoning Code or of any amendment hereto governing bulk for the zoning district in which such building or structure is located, or, B. Is designed or intended for a conforming use. C. Example: An office building in a Business District.
CONTIGUOUS	In contact, adjoining, or touching another object or item, as distinguished from being adjacent.
CONVALESCENT, NURSING or REST HOME	An establishment for the care of the aged or inform, or a place of rest for those suffering bodily disorders. Such home does not contain convalescent equipment for surgical care or for more than the incidental treatment of disease or injury.
CURB LEVEL	The level of the established curb in front of a building measured at the center of such front. Where no curb elevation has been established, the pavement elevation at the street center line similarly measured, or the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the "curb level".
DAY	As used in this Code, "day" shall mean one calendar day. If a projected day falls on a weekend or holiday, the next following working day or week day shall fulfill requirements.
DAY SPA	An establishment that provides State licensed, professionally administered massage and body treatments. For the purposes of explanation, and not intended to an exhaustive list, day spa services may include body wraps, skin exfoliation, electrolysis, body toning, waxing, aromatherapy, and facial treatments. Full service beauty shops/salons, makeup consultation and applications, manicure and pedicure services, and body tanning may be provided as accessory services to a day spa.(Ord. 09-3103-26, eff. 06/22/09)
DECIBEL	A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".
DETENTION	The temporary on-site restraining of storm water. (Ord. 86-885-22)
DEVELOPMENTAL DISABILITY	A severe or chronic disability of a person which: <ul style="list-style-type: none"> A. Is attributable to a mental or physical impairment or combination of mental and physical impairments. B. is manifested before the person attains age twenty two (22). C. is likely to continue indefinitely. D. Results in substantial functional limitation in three (3) or more of the following areas of major life activity: 1) self-care, 2) receptive and expressive language, 3) learning, 4) mobility, 5) self-direction, 6) capacity for independent living, and 7) economic self sufficiency. E. Reflects the person's need for a combination and sequence of special care, treatment, or other services which are lifelong or of extended duration and are individually planned and coordinated, (Ord. 90-1182-66)

DISTILLERY	A business which holds a Class 1 or Class 9 manufacturer's license and/or a craft distiller tasting permit from the State of Illinois.
DISTRICT	A portion of the corporate area of the Village, within which certain uniform regulations and requirements; or various combinations thereof, apply under the provisions of this Title.
DRIVE-THROUGH RESTAURANT	Any business where food or beverages are sold and delivered to the consumer while the consumer is in an automobile or other motorized vehicle.
DRIVEWAY	A pathway for motor vehicles from a street to a structure used for service purposes or for access to the structure only.
DRINKING ESTABLISHMENT	Establishments primarily engaged in preparing and serving alcoholic beverages for immediate consumption; commonly known as bars, taverns, nightclubs, or drinking place; and may also provide limited food services.
DWELLING	A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multiple-family dwellings, but not including hotels or motels.
DWELLING/ATTACHED	A dwelling which is joined to another dwelling at one or more sides by party walls.
DWELLING/DETACHED	A dwelling which is entirely surrounded by open space on the same lot.
DWELLING/MULTI-FAMILY	A building, or portion thereof, containing three (3) or more dwelling units, originally constructed for said purpose. (Ord. 86-885-22)
DWELLING/SINGLE-FAMILY	A building containing one dwelling unit only and that is occupied by one family as defined in this Title. (Ord. 90-1182-66)
DWELLING/TWO FAMILY	A building containing two (2) dwelling units only, designed for two (2) families to live independently of each other, and that is occupied by not more than two (2) families. (Ord. 86-885-22)
DWELLING UNIT	A group of contiguous rooms which include facilities which are used for living, sleeping, cooking, and eating, constituting all or part of a dwelling or hotel, and arranged, designed or intended for use exclusively as living quarters for one family or a community residential home maintaining a single and separate housekeeping unit, except as provided in Section 6-3-9 of this Zoning Code. (Ord. 90-1182-66)
EDUCATIONAL INSTITUTION	A public, parochial, private or charitable, or nonprofit school, junior college, college or university, trade or business schools, including instructional and recreational uses. An Educational Institution is distinguished from a Tutoring Center by the scale of the facilities, number of students and the style of presenting academic instruction.
EFFICIENCY UNIT	A dwelling unit consisting of one principal room together with

bathroom, kitchen, hallway, closets, and/or dining room alcove directly off the principal room, provided such dining alcove does exceed one hundred twenty five (125) square feet in area. An efficiency unit created after the effective date of this Zoning Code shall contain at least three hundred (300) square feet of floor area.

**ELEEMOSYNARY
INSTITUTION**

A building or group of buildings devoted to and supported by charity.

ESTABLISHMENT, BUSINESS

A place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot. Direct access to each "business establishment" shall be separate and distinct from direct access to any other business establishment, and in no case shall there be access to one such establishment from within another such establishment.

FAMILY

- A. One person, his or her spouse, their offspring, legally adopted children.
- B. Plus not more than six (6) other persons who are foster children or related to said person by blood, marriage or legal adoption such as mother or father, sister or brother, and mother-in-law or father-in-law, except that the total shall not exceed eight (8) unless it consists entirely of persons included under A as listed above. (Ord. 86-885-22)
- C. A family may also be composed of not to exceed three (3) persons not so related, provided that such unrelated persons live in a single dwelling and maintain a common household and a single housekeeping unit, including persons of a community residential home as defined in this Title.

A family includes any domestic servants and not more than one gratuitous guest residing with said family; such servants or guests shall be included in the unrelated persons attained by this definition, and shall not be in addition thereto. (Ord. 90-1182-66)

FARMERS MARKET

A designated area where home-grown or home-made products are sold directly to the public from open or semi-open facilities.

FENCE

A structure, other than a building, which is a barrier and used as a boundary or means of protection or confinement.

FENCE, NATURAL

A fence made of natural growth, such as trees, deciduous shrubs, evergreens, etc.

FENCE, OPEN

A fence, including gates, which contains no greater than 60% opaque materials, as measured horizontally along each foot of the length of the fence facing each yard.

FENCE, SOLID

A fence, including gates, which conceals from view from adjoining properties, streets, or alleys activities conducted behind it.

FLOOD	A temporary increase in normal water level (surface water elevation) that results in water inundating areas adjacent or near to the usual channel or lake.
FLOOD BASE ELEVATION	Six hundred forty five feet (645') above mean sea level which is the elevation of the highest flood on record for the Des Plaines River at Highway 22.
FLOOD-CREST ELEVATION	The elevation equal to the flood-crest level of record designated by the Village Engineer or other governmental official or body having jurisdiction as applicable to the property for which a zoning certificate is being requested.
FLOOD PLAIN AREA	That continuous area adjacent to a stream or stream bed, or any storm water retention area and its tributaries, whose elevation is equal to or lower than the flood-crest elevation including also land less than ten (10) acres in area having an elevation higher than flood-crest elevation and which is surrounded by land in a flood plain area, or land, less than five (5) acres in area, having an elevation equal or higher than flood-crest elevation and bordered on three (3) sides by land in a flood plain area.
FLOOD TABLE LAND	The area up to one thousand feet (1,000') adjacent to the flood plain but which is lower than the flood base elevation. Areas protected by an existing dike or natural ridge are not considered flood table land.
FLOOR AREA (GROSS FLOOR AREA)	For the purpose of determining the floor area ratio, the minimum floor area and conversions of existing structures. The sum of the gross horizontal areas of the several floors of a building, including the English Basement floor but not including a basement floor, measured from the exterior faces of the exterior walls. The "floor area" of a building shall also include elevator shafts and stairwells at each floor; floor space used for mechanical equipment, except equipment, open or enclosed, located on the roof; penthouses; finished attic space having headroom of five feet (5') or more; unfinished garage attic space, with or without flooring, having headroom of five feet (5') or more from the top of the lowest garage ceiling rafters; provided however that porches and any space devoted to accessory off-street parking or loading shall not be included in "floor area, and, in residential zoning districts, the area of a garage shall be included, with the exception that the first 400 square feet of the total garage area shall be excluded. Further, for that portion of any open two-story element, which consists of an interior space which has a clear height of sixteen feet (16') or more from the floor elevation, that floor area shall be counted twice in calculating the floor area ratio. (Amd. Ord. 04-1934-50, eff. 11/8/04)
FLOOR AREA (FOR THE PURPOSE OF DETERMINING OFF-STREET PARKING AND LOADING REQUIREMENTS)	The sum of the gross horizontal area of the several floors of a building or portion thereof, devoted to a use requiring off-street parking or loading as required in this Zoning Code. This area shall exclude such floor areas used for accessory off-street parking and off-street loading facilities and such basement floor areas that are devoted exclusively to uses accessory to the operations of the building. All horizontal

dimensions shall be taken from the exterior faces of the wall.

FLOOR AREA (OF A DWELLING UNIT OR A LODGING ROOM)

The sum of the gross horizontal areas of the room constituting the dwelling unit or lodging room, including closets, baths, utility rooms, hallways when accessible only to the occupants of said dwelling unit or lodging room and not accessible to other occupants of the building or to the general public, and only when such rooms, halls or other areas are an integral part of said dwelling unit or lodging room. Floor area shall be measured from the interior faces of the outer-most walls defining the dwelling unit or lodging room but shall not include any unfinished space or finished space having a headroom of less than five feet (5').

FLOOR AREA (RATIO)

The numerical value obtained by dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.

FOOTCANDLE

A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface. (Ord. 08-3049-32, eff. 08/11/08)

FREE-STANDING ANTENNA POLE

A free-standing monopole-design structure that is constructed solely for the purpose of supporting one or more antennas. This definition does not include towers that require additional support, such as guyed towers or lattice towers.

FRONTAGE

The length of all the property fronting on one side of a street between the two (2) nearest intersecting streets, measured along the line of the street, or if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

FRONTAGE, ZONING LOT

The length of all the property of such zoning lot fronting on street, measured between side lot lines.

GARAGE/PRIVATE

An accessory building or an accessory portion of the principal building, which is intended for and used for storing of privately owned motor vehicles, boats and trailers of the family or families resident upon the premises and in which no business, service, or industry connected directly or indirectly with motor vehicles, boats and trailers is carried on; provided that not more than two-thirds (2/3) of the parking spaces therein may be rented for the storage of motor vehicles, boats and trailers of persons not resident on premises, except that all the parking spaces in a garage of one (1), two (2) or three (3) car capacity may be so rented.

GARAGE/PUBLIC

A building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling, storing, or parking motor-driven vehicles. The term repairing shall not include an automotive body repair shop or the rebuilding, dismantling, or storage of a wrecked or junked vehicle, unless expressly authorized.

GARAGE SALE

The occasional sale of used or surplus household goods, wares and other items of personal property owned by the occupier of the residence on

the premises where such sale is held, or owned collectively by a group of persons including the occupier of the residence on the premises where such sale is held. Also includes sales commonly known as yard sales, basement sales, house sales, yard sales, attic sales, rummage sales, estate sales or other similar occasional sales conducted on an infrequent and unscheduled basis from residentially zoned premises.

GARAGE/STORAGE

A building or premises used for housing of motor vehicles, and where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired or sold, except that fuel, grease, or oil may be dispensed within the building to vehicles stored therein.

GAZEBO

A freestanding roofed Accessory Structure open on all sides, affording shade and rest.

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. (Ord. 08-3049-32, eff. 08/11/08)

GRADE

The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

GRADING

Reshaping natural land contours, using natural land materials such as soil, gravel, sand, black dirt, etc., for the purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property, or to accommodate a building plan by making minor changes in land elevation.

GROSS FLOOR AREA

All the floor area contained within a building or buildings, without exception.

GROUND FLOOR

That level of a building on a sloping or multi-level site which has its floor line at or not more than three feet (3') above exit grade.

GROUND FLOOR AREA

The lot area covered by a building, measured from the exterior faces of exterior walls, but excluding open terraces and carports.

GUEST/PERMANENT

A person who occupies or has the right to occupy, a residence accommodation for a period of thirty (30) days or more.

HEDGE

A row or fence of bushes. (Ord. 86-885-22)

HISTORIC DISTRICT

Any parcel of land, use or structure which has been determined by the Village Board or National Trust to be of historic significance and which is identified as such on a recorded plat, plan or any other appropriate document. (Ord. 87-954-40)

HOME OCCUPATION

An occupation or profession practiced by, a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling; and in connection with which there is no indication from the exterior, that the building is being

utilized in whole or in part for any purpose than that of a dwelling. No commodity is sold upon the premises and no commodity intended for sale or use elsewhere is stored on the premises; no more than one person is employed other than members of the family residing on the premises; and no mechanical or electrical equipment is used except such as is permissible for purely domestic or household purposes. A professional person may use his residence for consultation, emergency treatment, or performance of religious rites. No accessory building shall be used for such home occupation. Home occupations, further, shall not utilize more than twenty five percent (25%) of the total floor area of any one story.

HOSPITAL

A medical institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, and care of individuals suffering from illness, disease, injury, deformity or other abnormal physical condition.

HOTEL or MOTEL

An establishment which is open to transient guests, in contradistinction to a boarding, rooming or lodging house, and is commonly known as a hotel in the community in which it is located; and which provides customary hotel services such as maid services, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service.

IMPERMEABLE SURFACE

A surface which does not allow water to be absorbed so it may percolate into deeper ground. Such surfaces are those constructed of Portland concrete, bituminous concrete, composed stone or gravel, or any other surface that allows little or no water penetration.

IMPERVIOUS SURFACE

Any man-made area that alters the natural surface course for or does not allow for the natural rate of absorption or retention of storm water. Such areas may include, but are not limited by reason of exclusion from the following list of examples, roofs, parking and driveway areas, graveled areas, sidewalks and bike paths, paved recreational areas, swimming pools, porches, decks and patios. (Amd Ord. 07-2973-01B, eff. 1/22/07)

INCOMPATIBLE LAND USE

A non-residential use adjacent to a residential zoning district or a Special Use in a residential zoning district. (Amd. Ord. 12-3233-03, eff. 1/23/12)

LABORATORY

A place devoted to experimental study such as testing and analyzing. Manufacturing of product or products is not to be permitted within this definition.

LANDSCAPE WASTE

All accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as a result of the care of lawns, shrubbery, vines and trees.(Ord. 06-2948-40, eff. 8/14/06)

LIBRARY-PUBLIC

A facility owned and operated by a unit of local government for the collection, storage, use and dissemination of educational and recreational materials in various formats and which provides space for uses that support the efficient and effective operation of a public library system. (Ord. 92-1228-06)

LIVE ENTERTAINMENT	With respect to any restaurant, bar, tavern or other place of public accommodation, any public artistic, musical or dramatic performance which is the principal purpose for the audience to be present, regardless of whether a fee is charged. (Ord. 13-3282-08, eff. 3/11/13)
LOADING BERTH	A space within the principal building or on the same lot as the principal building providing for the standing, loading, or unloading of trucks and with access to a street or alley.
LOT	<p>A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot may consist of any of the following, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Zoning Code:</p> <ul style="list-style-type: none"> A. A single lot of record; B. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record. <p>A lot occupied by, or intended for occupancy by, one principal building or principal use and shall have frontage upon a street as defined by this Zoning Code. Notwithstanding the above requirements, a lot shown on a plat properly recorded in the office of the County Recorder prior to the effective date of this Zoning Code even though not meeting the requirements of this Zoning Code as to width or area may be used as a zoning lot if it complies with conditions as set forth in Section 6-3-3A of this Zoning Code.</p>
LOT AREA, GROSS	The area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by the waters of a duly recorded lake or river.
LOT/CORNER	A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty five degrees (135°).
LOT COVERAGE/BUILDING	The ratio between the ground floor area of all buildings or structures on a lot and the total area of the lot.
LOT COVERAGE/GROSS	The ratio between the ground floor area of all buildings and structures plus all areas used for off-street parking facilities, loading areas, vehicular access ways of driveways, and the total area of the lot.
LOT DEPTH	The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
LOT LINE	A line dividing one lot from another lot or from a street or alley.
LOT LINE/FRONT	A lot line which is a street lot line. Any street lot line of a corner lot may be established by the owner as the front lot line, but once established, shall not be altered.

LOT LINE/REAR	That boundary of a lot which is most distant from and is, or is approximately, parallel to the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten feet (10') in length within the lot, parallel to, and at the maximum distance from, the front lot line.
LOT LINE/SIDE	Any boundary of a lot which is not a front or rear lot line. On a corner lot a side lot line may be a street lot line.
LOT LINE/STREET	A lot line dividing a lot from a street.
LOT/REVERSED CORNER	A corner lot where the street side lot line is substantially a continuation of the front lot line of the first lot to its rear.
LOT/THROUGH	A lot which has a pair of opposite lot lines along two (2) substantially parallel streets, and which is not a corner lot. On a through lot both street lot lines shall be deemed front lot lines.
LOT/WIDTH	The horizontal distance between the side lot lines of a lot, measured at the narrowest width within the first thirty feet (30') of lot depth immediately in back of the required front yard.
LOT, ZONING	A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.
LUMINAIRE	A complete lighting unit, including the lamp, reflectors, globes, lenses, shields, or other components designed to block, diffuse or distribute light. (Ord. 08-3049-32, eff. 08/11/08)
MARQUEE	A roof-like structure of a permanent nature which projects from a wall of a building. (Ord. 86-885-22)
MEDICAL CANNABIS CULTIVATION CENTER	A facility operated by an organization or business registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis Dispensary Organizations with usable medical cannabis. No available parcels in the Village of Lincolnshire permit Cultivation Centers to exist due to the separation requirements of the Compassionate Use of Medical Cannabis Program Act (410 ILCS 103/1, et seq.).
MEDICAL CANNABIS DISPENSARY ORGANIZATION	A facility operated by an organization or business registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered Cultivation Center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.
MEMORIAL ASSEMBLY FACILITY	A type of cemetery comprising an area and/or structure (i.e. columbarium) intended as a memorial for deceased persons and used for the burial, inurnment or interment of only cremated human

remains. For the purpose of this Chapter, an outdoor Memorial Assembly Facility shall include the area and/or structure wherein the cremated human remains are buried, inurned or interned and the adjoining improvements intended for memorials, services or private reflection. (Ord. 08-3070-53)

MEMORIAL GARDEN

An area and/or structure intended as a memorial for deceased persons but which shall not be used as a CEMETERY. (Ord. 08-3070-53)

MENTAL DISABILITY

An individual or group of disorders that cause severe disturbances in thinking, feeling, and relating that can result in a substantially diminished capacity for coping with the ordinary demands of life. (Ord. 90-1162-66)

MOBILE FOOD VENDOR

A mobile vendor that transports and sells food and/or drinks from a designated vehicle or cart, which may include facilities for storage, preparation and cooking of food and/or drinks, for immediate public consumption.

MOBILE SERVICES

A mobile operation providing on-site services, including but not limited to car wash, product pick-up/distribution, and general vehicle maintenance and service, but not including major automotive repair and service.

MOTOR VEHICLE

Any passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.

MULTI-USER BUILDING

An office/industrial building that is occupied, or operated, by two or more business users or business tenants. (Ord. 09-3106-39, eff. 7/13/09)

MULTIPLE-FAMILY STRUCTURE

A residential structure with more than one dwelling unit with interior common habitable areas. (Amd. Ord. 95-1377-7, eff. 1/9/95)

NO IMPACT

The term “no impact” personal wireless service facility shall be defined as a facility which is:

1. Designed so as to completely conceal all components of the personal wireless service facility within a new or existing structure that is architecturally compatible with its surroundings; including, but not limited to, an antenna behind louvers, or in a false roof on a building, or inside a steeple, clock tower, flagpole (with a maximum diameter of 15 inches), campanile or bell tower; or
2. Camouflaged so as to blend into its surroundings to such an extent that it is no more obtrusive to the casual observer than the structure on which it is (a) placed, such as a rooftop, lighting standard or existing tower; or (b) replacing, such as a school athletic field light standard, or other similar structure.

NONCONFORMING/USE STRUCTURE, LOT

Any Use, Structure or Lot which was lawfully established, either by right or by reason of a variance or special use, and becomes noncompliant with this Title by reason of an amendment to this Title that becomes

effective following the attachment of vested rights to such use, structure or lot.

NOXIOUS MATTER

Material which is capable of causing injury or malaise to living organisms by chemical reaction, or is capable of causing detrimental effects upon the health, or the psychological, social, or economic well-being of human beings.

**NURSING HOME
(CONVALESCENT HOME,
SHELTERED CARE HOME)**

An establishment for the care of children or the aged or infirm. Such a home shall not contain equipment for or provide care in maternity cases or for psychotics or other unruly mentally deranged persons nor for surgical or medical cases commonly treated in hospitals.

OCTAVE BAND

A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

ODOROUS MATTER

Any matter or material that yields an odor which is offensive in any way. (Ord. 86-885-22)

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 physician's office or the production, distribution or sales of goods or commodities which are physically located on the premises.

OPEN SALE LOT

Any open space used or occupied for the purpose of buying and selling merchandise, passenger cars, trucks, commercial trailers, motor scooters, motorcycles, boats and monuments, or for the storing of same prior to sale. (Ord. 86-885-22)

ORNAMENTAL METAL FENCE

A fence constructed of wrought iron, aluminum or steel materials and designed with horizontal rails and other decorative elements, such as balusters, rings or finials, but which does not contain woven metallic materials in the style typical of chain link or cyclone fences. (Ord. 12-3233-03, eff. 1/23/12)

OUTDOOR STORAGE

The keeping in an unroofed area of any goods, junk, material, merchandise or vehicles in the same place for more than twenty four (24) hours. (Ord. 90-1163-47)

PARKING AREA

One or more parking spaces, and may also include access drives, aisles, ramps, and maneuvering area.

PARKING LOT

An area reserved or used for parking motor vehicles, hauling trailers or trailer-mounted boats on premises on which there is not a principal building.

PARKING SPACE

An accessible area used or intended for use for temporary storage of one motor vehicle, hauling trailer or trailer-mounted boat which parking space may be located in a private or storage garage, or in the open. In this definition, temporary storage shall be further limited to include only the storage of vehicles which are fully capable of legal operation on the public streets. Any other storage of vehicles shall be considered as

the storage of goods and shall be prohibited except where specifically permitted by this Zoning Code.

PARTICULATE MATTER

Material which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or solid at atmospheric temperature and pressure.

PARTY WALL

A wall which is common to but divides contiguous buildings. (Ord. 86-885-22)

PERFORMING AND VISUAL ARTS STUDIO

A business that provides instruction in various types of art, which includes, but is not limited to, music, dance, theater, painting, sculpture, photography, and provides performances and/or exhibits for an audience as an accessory use.

PERSON

Any corporation, partnership, individual, or group of individuals, associations, or agent, so that any entity who would be subject to the Zoning Code would be defined as a person. (Ord. 86-885-22)

PERSONAL RECREATION FACILITY

An Accessory Structure intended for the purpose of private recreation activity conducted on a purpose-built court or field, including but not limited to basketball court, tennis court, volleyball court, etc.

PERSONAL WIRELESS SERVICE/PERSONAL WIRELESS SERVICE FACILITIES

A personal wireless service facility shall mean any facility of whatever kind or nature, except a small wireless facility, that receives, transmits or relays radio or microwave signals for cellular, PCS or other similar service. This shall include any installation or mounting structure or equipment and any appurtenant electronics necessary for the operation of the facility. This definition shall be inclusive of the definition of personal wireless service facility set forth in 47 USC 332(c)(7)(C), as amended now or in the future.

PET DAYCARE

A facility that provides temporary boarding, grooming, training and care for any combination of three (3) or more dogs, cats and other domestic animals. This shall not include breeding or sale of animals or veterinary services customarily offered at an Animal Clinic/Hospital.

PHYSICAL DISABILITY

A disability that may have been caused by a head injury, severe arthritis, stroke, muscular dystrophy, multiple sclerosis, spinal cord injury, and other causes that can substantially limit an individual's capacity to function in society. (Ord. 90-1182-66)

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, clinical social workers, professional counsellors, acupuncturists, chiropractors, massage therapists, naprapaths, optometrists, estheticians, electrologists, occupational and physical therapists, dietitian nutritionists, and similar licensed professionals that does not include overnight care facilities.

PLAY STRUCTURE

An Accessory Structure intended for the purpose of children's play, including but not limited to playhouse, jungle gym, swing set, or trampoline.

PREMISES	A distinct portion of real estate, land or lands with or without buildings or structures. It may or may not have the same meaning as "lot", "building", or "structure".
PRINCIPAL STRUCTURE (BUILDING)	A building in which is conducted the principal use of the lot on which it is located.(Amend Ord. 95-1397-27)
PROPERTY LINE	The line bounding a zoning lot, as defined herein.
PUBLIC WAY	Any sidewalk, street, alley, highway, or other public thoroughfare.
RECORDING (OF A DOCUMENT)	Officially record a document in the office of the Lake County Recorder.
RECREATION FACILITY, PUBLIC	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.
RECREATION FACILITY, PRIVATE	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.
POOL HOUSE	An Accessory Structure that serves and solely used in conjunction with an in ground swimming pool.
RECYCLING COLLECTION POINT	An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a parking lot or in other public/quasi-public areas. (Ord. 90-1163-47)
RESEARCH and DEVELOPMENT LABORATORY	A building or group of buildings with facilities providing scientific, medical or product research, investigation, testing, or experimentation, but excluding manufacturing or sale of products. (Ord. 15-3372-99)
RESERVOIR	The term "reservoir" is commonly applied to waters held in storage in either artificial or natural basins and impoundments primarily for a source of water for power, Municipal, industrial, domestic, or flood control uses. (Ord. 86-885-22)
RESTAURANT, TABLE SERVICE	Unpackaged food to the customer in a ready-to-consume state, in individual servings where food is served to the customer and the

customer generally consumes these foods while seated at tables or counters located within, or immediately adjacent to, the building. Carry-out business shall be permitted at these establishments as a subsidiary use. (Ord. 02-1818-28) (Amd. Ord. 07-2983-11, eff. 5/14/07)

RESTAURANT, FAST FOOD

An establishment that is commonly referred to within the restaurant industry as a “QSR”, or quick service restaurant. Characteristics common to a Fast Food Restaurant include one or more of the following: offers quick food service, a limited menu, food items pre-prepared or prepared quickly, orders are not-taken at the customers table, and food is generally served in disposable wrapping or containers. This type of establishment often times includes a drive-up or drive-through service facility. (Ord. Amd. 07-2983-11, eff. 05/14/07)

**RESTAURANT,
CONVENIENCE**

An establishment commonly referred to within the restaurant industry as a “fast casual” restaurant. Characteristics common to a Convenience Dining Restaurant include: (a) the principal business model of the restaurant is to serve food at the patrons table; (b) limited menu items are made-to-order and are prepared only upon being ordered by the patron; and (c) the décor is more similar to a Table Service Restaurant than a Fast Food Restaurant. (Ord. Amd. 07-2983-11, eff. 05/14/07)

RETENTION

The permanent on-site maintenance of storm water.

RINGELMANN CHART

One which is described in the U.S. Bureau of Mines information Circular 8333, and on which are illustrated graduated shades of grey for use in estimating the light-obscuring capacity of smoke density.

ROADSIDE STAND

A structure for the display and sale of agricultural products, with no space for customers within the structure itself.

**ROOF-MOUNTED ANTENNA
POLE**

Any structure that supports one or more antennas, and is designed and constructed to be attached, at its base, to the roof of an existing building.

**SATELLITE EARTH STATION
ANTENNA**

Any dish-type satellite signal receiving station or disc antenna, whether flat or concave which is designed for receiving television, radio, data, microwave or other signals from satellites or other sources. (Amd. Ord. 95-1380-10, eff. 2/13/95)

SCREEN

Any permanent barrier comprised of natural or man-made materials which conceals from view all or any part of a deck or patio. (Amd. Ord. 12-3233-03, eff. 1/23/12)

SCREENING

A structure erected or vegetation planted for concealing from viewers the area behind it.

SELF-SUPPORTING FENCE

A fence made of rigid or semi rigid materials, capable of maintaining its shape without sagging or having significant deflection between support posts. (Amd. Ord. 12-3233-03, eff. 1/23/12)

SETBACK

The distance required between any Lot Line and the Structure or the nearest supporting member of any structure on the lot. See Figure 1.

SETBACK, FRONT

The required distance measured from the front lot line to the nearest member of the Structure, extending between the side and/or corner side lot lines. See Figure 1.

SETBACK, SIDE

The required distance measured from the side lot line to the nearest member of the Structure, extending between the front and rear setbacks. See Figure 1.

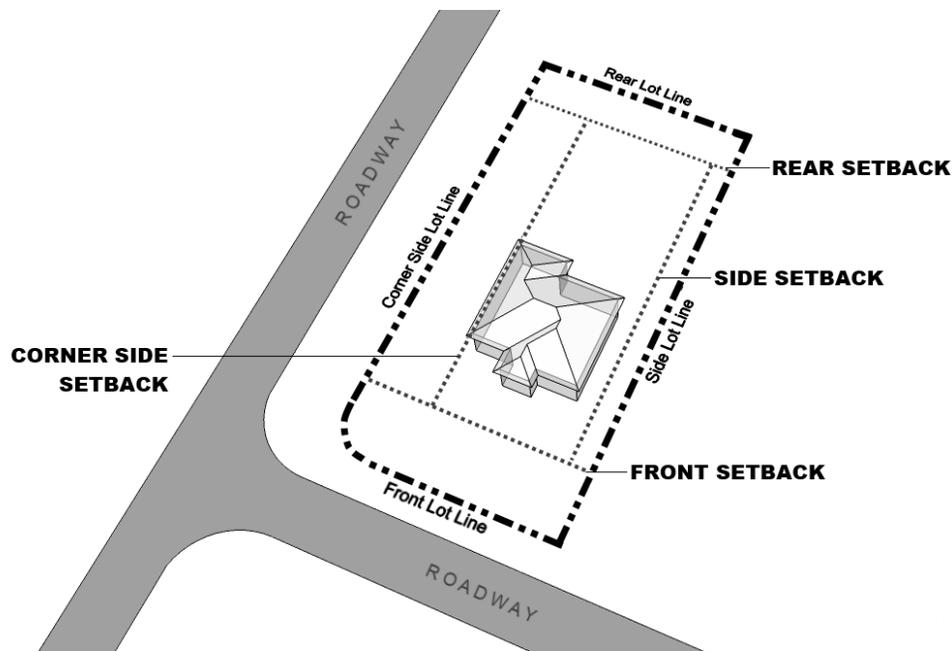
SETBACK, REAR

The required distance measured from the rear lot line to the nearest member of the Structure, extending between the side and/or corner side lot lines. See Figure 1

SETBACK, CORNER SIDE

The required distance measured from the side lot line adjoining a street, extending between the front and rear setbacks. See Figure 1.

Figure 1: Setbacks



SHORT-TERM RENTAL

The accessory use of a residential dwelling under a written or oral agreement providing for occupancy of all or part of the dwelling by any person other than the owner thereof in exchange for consideration therefor.

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.

SINGLE FAMILY ATTACHED STRUCTURE

A residential structure with more than one dwelling unit with an independent means of egress and with no interior common habitable areas. (amd. Ord. 95-1377-7, eff. 1/9/95)

SMALL WIRELESS FACILITY

A wireless facility that meets both of the following qualifications: (i)

each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than 6 cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

SOUND LEVEL

The intensity of sound of an operation or use as measured in decibels.

SOUND LEVEL METER

An instrument standardized by the American Standards Association for measurement of the intensity of sound.

SPECIAL USE

A "special use" of land or buildings, or both, described and permitted herein, is a use subject to special provisions and which because of unique characteristics cannot be properly classified as a permitted use. (Ord. 86-885-22)

SPONSOR or SUPPORT STAFF

Any person licensed or similarly authorized by an agency of the State of Illinois to operate a community residential home. (Ord. 90-1182-66)

STORAGE STRUCTURE

A fully enclosed roofed structure used solely for storage.

STORY

That portion of a building included between the surface of any floor and the surface of the floor above; or if there is no floor above, the space between the floor and the ceiling above. An English Basement shall be counted as a story, but a basement or cellar shall not be counted as a story.

STORY/HALF

A space under a sloping roof which has the line of intersection for roof decking and wall below the ceiling level of the top floor.

STREAM

Any natural, artificial, or channelized watercourse that transports continuous or periodic flowing water.

STREET

A publicly dedicated right of way not less than fifty feet (50') in width or a permanently reserved easement of access approved by the Board of Trustees, which affords a primary means of access to abutting property.

STRUCTURAL ALTERATIONS

Any change, other than incidental repairs in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams, or girders; or any substantial change in the roof or exterior walls.

STRUCTURE

Anything erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. An advertising or business sign, if detached or projecting from a building, shall be construed to be a separate structure. Accessory Structures shall be considered Structures notwithstanding

whether they are permanently affixed or mounted to one location on the ground or attached to something having a permanent location on the ground. (Amd. Ord. 06-2011-02, eff. 1/23/06)

STRUCTURE, SEASONAL

An Accessory Structure located on residential property used for temporary seasonal use, including but not limited to, shade structures, and temporary ice rinks. This definition does not include hoop houses, high tunnels, and similar temporary season-extending growing structures.

STRUCTURE, TEMPORARY

A structure located on non-residential property for temporary use and is removed when the permitted time period, activity, or use for which the temporary structure was erected has ceased.

SUPERVISION

The act of assuming responsibility for the day-to-day operation of a community residential home that includes, without limitation, the performance of any act that requires licensing, certification or such similar authorization by an agency of the State of Illinois of competent jurisdiction.

SUPPORT SERVICES

Those services provided to residents in order to facilitate their integration into the community and to improve their level of functioning and independence. (Ord. 90-1182-66)

SURFACE WATER ELEVATION

The normal water level elevation of a lake, stream, or stream bed as depicted on the United States Geological Survey (U.S.G.S.) flood plain topographic maps. If "surface water elevation" datum specified by the Illinois Department of Transportation - Division of Water Resources is more current than U.S.G.S. flood plain topographic maps, Division of Water Resources information may be used.

TEMPORARY EVENT

An organized occasion, activity, or gathering for public attendance on private property, which may be conditioned upon participant registration, for a fixed, short time period.

TEMPORARY SALES

Temporary sales of overstock and similar products manufactured, warehoused or distributed in the normal business operation of the principal use.

TENT, PERMANENT

An enclosure or shelter with walls and roofing constructed of pliable and non-pliable materials, installed on a permanent foundation, and intended for assembly use.

TENT, TEMPORARY

An enclosure or shelter with walls or roofing constructed of pliable materials and intended for seasonal use.

THREE-COMPONENT MEASURING SYSTEM

A complement of instruments or seismograph which can record, simultaneously, vibration vectors in three (3) mutually-perpendicular directions.

TOXIC MATERIAL

Any substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property when emitted in any amount, is injurious to plants, animals, or human beings.

TRAILER	Any vehicle, house, car, camp car, recreational vehicle, or any portable or mobile vehicle on wheels, jacks, horses, skids, or blocks, and with or without motive power; which is used, adapted, or designed for living, sleeping, business, trade, occupation, or storage purposes. A permanent foundation shall not change its character unless the entire structure meets Village Building Code regulations.
TRANSIENT GUEST	A tenant who does not have a lease and occupies an apartment, lodging room, or other living quarters on a month to month, week to week, or day to day basis.
TREE CHIPPING	The process whereby parts of trees, and no other forms of landscape waste, are received, stored and processed for sale to end markets in the form of raw materials or products.(Ord. 06-2948-40, eff. 8/14/06)
TUTORING CENTER	An office or classroom-style space where students receive assistance in either a personal or small group setting to become more successful academically.
URGENT MEDICAL CARE CENTER/CLINIC	An establishment comprised of physicians and other medical staff engaged in providing surgical services or emergency care services on an outpatient basis.
USE	The purpose or activity for which the land, building or structure thereon, is designed, arranged, or intended or for which it is occupied or maintained.
USE, PERMITTED	Any building, structure, or use which complies with the applicable regulation of this Code governing permitted uses in the zoning district in which such building, structure or use is located.
USE, PRINCIPAL	The main use of land, building or structure as distinguished from a subordinate or accessory use.
USE, TEMPORARY	A use permitted for a limited duration and is discontinued upon the expiration of the approved time period.
VARIANCE	A relaxation of the terms of the Zoning Code 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 FUELING STATION	Any building or portion thereof or premises used primarily for dispensing or offering for sale at retail to the public, vehicle fuels, gasoline, petroleum products, and other permitted retail goods. (Ord. 97-1494-18 eff. 6/9/97)
VEHICLE REPAIR (AUTOMOBILE REPAIR)	The general repair, engine, rebuilding or reconditioning of vehicles, collision service such as body, frame and fender straightening and repair, and painting of motor vehicles. (Ord. 97-1494-18 eff. 6/9/97)

**VEHICLE SERVICE STATION
(AUTOMOBILE SERVICE
STATION)**

Any building or portion thereof or premises used primarily for the dispensing or offering of vehicle fuels, petroleum products, and other permitted retail goods. Light maintenance and service activities such as tire repairs, battery replacement, lubrication, engine tune-ups, and minor repairs may be conducted within the completely enclosed building on the site. Vehicle Service Stations shall not include vehicle repairs other than as stated in this definition. (Ord. 97-1494-18 eff. 6/9/97)

**VEHICLE WASH
(AUTOMOBILE LAUNDRY)**

A completely enclosed building or portion thereof containing equipment or providing space or water for cleaning vehicles defined in the Illinois Vehicle Code as first division and Class B vehicles up to, and including 8,000 pounds, as a special accessory use to another principal permitted or special use in the zoning district. (Ord. 97-1494-18 eff. 6/9/97)

WAREHOUSE

A structure, part thereof, or area used principally for the storage of goods and merchandise.

WATCHMAN'S QUARTERS

Working facilities for an owner/operator or employee to provide twenty four (24) hour security in any zoning district where such accommodations are a permitted use. Watchman's quarters shall not serve as a primary residence for a watchman.

**WHOLESALE
ESTABLISHMENT**

A business establishment engaged in selling to retailers or jobbers rather than consumers.

YARD

An open space on a lot which is unoccupied and unobstructed from its lowest level to the sky, except by natural features and as otherwise permitted in this Zoning Code. No yard provided for any building and required for the purpose of complying with this Zoning Code shall again be used as a yard for any other building.

YARD/CORNER SIDE

A side yard which adjoins a public street. See Figure 2.

YARD/FRONT

A yard extending from the abutting roadway to the front of the Structure and extending the full width of the lot. See Figure 2.

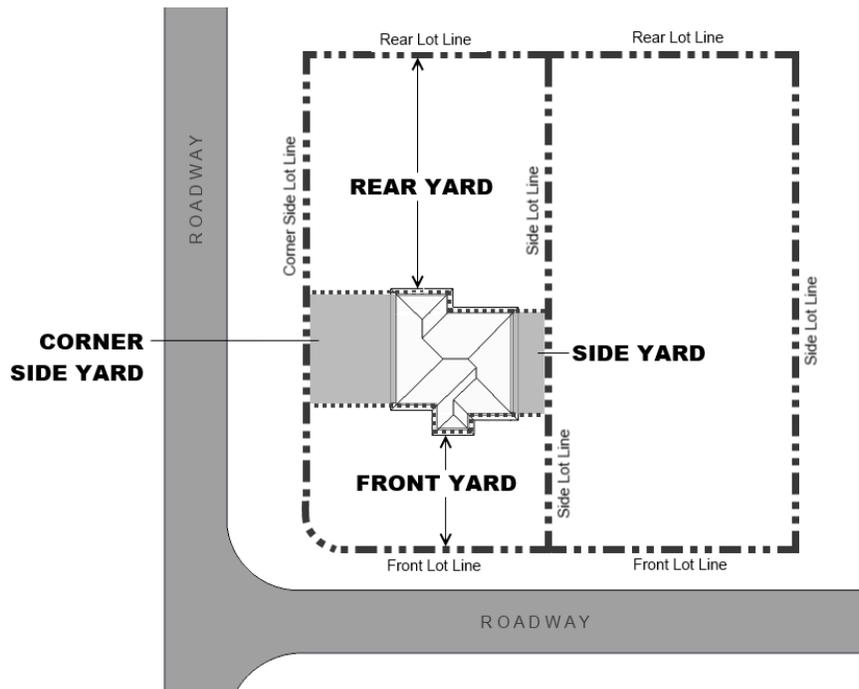
YARD/REAR

A yard extending from the rear lot line to the rear of the Structure and extending for the full width of the lot. See Figure 2.

YARD/SIDE

A yard extending from a side lot line to the side of the Structure, extending between the front and rear yards. See Figure 2.

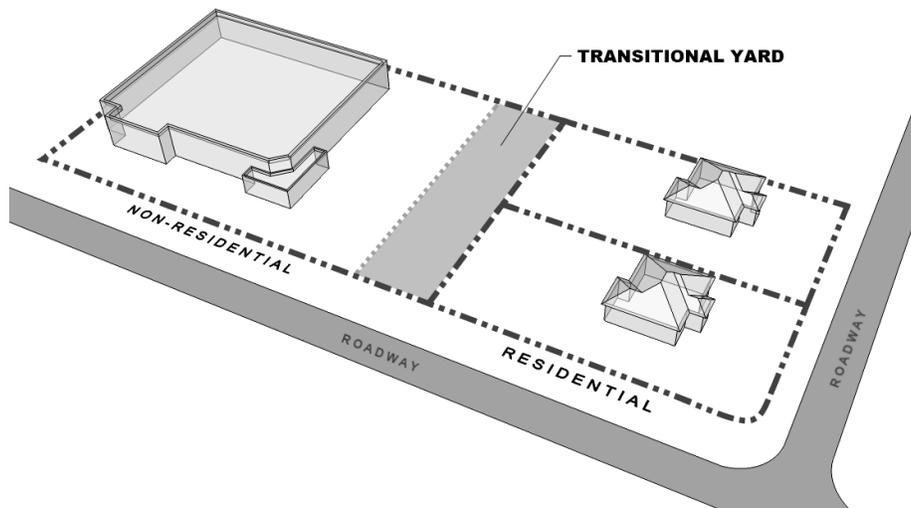
Figure 2: Yards



YARD/TRANSITIONAL

A yard which serves as a buffer between two incompatible zoning districts, when such yard of a non-residential zoning lot adjoins a residential zoning district. See Figure 3.

Figure 3: Transitional Yard



ZONING ADMINISTRATOR

The officer and assistant designated by the Village Board of Trustees as the officer responsible for enforcing and administering all requirements of this Zoning Code.

**ZONING EXCEPTION
CERTIFICATE**

Refers to the written approval of the Zoning Administrator which indicates granting of relief from any of the provisions of this Code due to establishment as a lawful nonconforming building, structure or use, establishment as a lawful special use, the granting of a variation by the Board of Trustees, or court action granting the zoning exception. (Ord. 86-885-22)

TITLE 6: ZONING
CHAPTER 3: GENERAL ZONING REGULATIONS

SECTION:

- 6-3-1: Buildings on a Lot**
- 6-3-2: Allowable Uses of Land and Buildings**
- 6-3-3: Controls Established**
- 6-3-4: Building Height**
- 6-3-5: Accessory Structures and Uses**
- 6-3-6: Temporary Structures and Uses**
- 6-3-7: Special Uses**
- 6-3-8: Yards**
- 6-3-9: Floodplain Regulations**
- 6-3-10: Occupancy of Dwelling Units**
- 6-3-11: Conversion of Existing Structures for Residential Uses**
- 6-3-12: Heating Requirements**
- 6-3-13: Construction and Installation of Exterior Satellite Earth Station Antennas**
- 6-3-14: Sales Activities; Vending and Ice Machines**
- 6-3-15: Outdoor Lighting**
- 6-3-16: Adult Use Cannabis Business Establishments**

6-3-1: BUILDINGS ON A LOT

Except in the case of planned developments, special uses, Master Development plans for Mixed Use Developments in the R5-Mixed Use General Residence District, and personal wireless service facilities subject to the provisions of Chapter 16, not more than one principal structure shall be located on a lot in any zoning district. In addition to the principal structure, detached accessory structure(s) may be located on a lot as permitted in Section 6-3-5 of this Title. Carports are specifically prohibited. (Amd. Ord. 97-1534-58, eff. 11/10/97)

6-3-2: ALLOWABLE USES OF LAND AND BUILDINGS

The following uses of land and buildings and no others are allowed in the districts established hereinafter under the requirements specified in this Zoning Code.

- A. Permitted uses listed in this Zoning Code.
- B. Special uses listed in this Zoning Code only with the approval of the Mayor and Board of Trustees in each case and only in accordance with all the provisions and procedures as set forth in Chapter 14.
- C. Uses lawfully established on the effective date of this Zoning Code are subject to all provisions on Chapter 13.
- D. Where a building permit for a building or structure has been issued in accordance with law prior to the date of this Zoning Code and where construction has been started within one hundred eight (180) days of such effective date and diligently prosecuted completion, said building or structure may be completed accordance with approved plans on the basis of which the building permit was issued; and, further may upon completion be occupied under a certificate of use and occupancy for the use original designated; subject to the provisions of Chapter 13 of this Zoning Code.

6-3-3: CONTROLS ESTABLISHED

- A. Control Over Use: No lot, building, structure or premises shall hereafter be used or occupied and no building, structure or premises or part thereof shall be erected, razed, moved, reconstructed, extended, enlarged, or structurally altered except in conformity with the regulations and requirements herein specified for the district in which it is located, except as hereinafter provided. In residence districts, a lot shown on a plot properly recorded in the office of the County Recorder prior to the effective date of this Zoning Code which does not meet the requirements of this Zoning Code as to width or area, may be used for single-family detached dwelling purpose if it conforms to other requirements of this Zoning Code. However, said recorded nonconforming lot may not be used if it was held in common ownership with one or more adjoining lots at any time subsequent to the effective date of this Zoning Code and if such lots held in common ownership together meet the requirements of this Zoning Code, when used as a single parcel. Where two (2) or more adjoining lots shown in a plot properly recorded with the office of County Recorder have been held in common ownership at any time subsequent to the effective date of this Zoning Code and the use of such use of such adjoining lots as a single parcel would meet the requirements of this Zoning Code, the ownership of said lots shall not be separated nor shall any of the lots be used in any way to conflict with the regulations of this Zoning Code. No building permits shall be issued for the use of any lot or portion of said lot, transferred, or conveyed in violation of the provisions of this Section.
- B. Control Over Bulk: All new buildings and structures shall conform to the bulk regulations established herein for the district in which each building or structure is located. No existing building or structure shall be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this Zoning Code for the district in which such building or structure is located.

6-3-4: BUILDING HEIGHT

In R1, R2, and R3 Districts, an allowable nonresidential building may be erected to a height not to exceed sixty feet (60') when the required front and rear yards are increased in depth, and side yards are increased in width, one foot (1') for each foot of height that such building exceeds the building height regulations of the district in which it is located.

6-3-5: ACCESSORY STRUCTURES AND USES

No accessory structure or use shall be established, erected, altered or moved onto a lot unless it is specifically conforms to the requirements of this Section.

A. General Requirements

1. Floor Area Ratio: The maximum size shall not exceed 10% of the gross square feet of the Principal Structure on the lot, except as further regulated in Section 6-3-5(B).
2. Height: The maximum height shall not exceed fifteen (15) feet, except as further regulated in Section 6-3-5(B).
3. Location: Shall meet the minimum required Setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-5(B).
4. Relationship to Principal Structure: No portion of an Accessory Structure shall extend beyond the front façade of the Principal Structure on the lot.
5. Tree Removal: Any tree removal related to the installation of an Accessory Structure shall be subject to the tree removal requirements of Section 13-1-3(I).

6. Quantity: A maximum of two Accessory Structures shall be permitted on a lot. No two Accessory Structures shall be the same, ~~with the exception of Play Structures~~. These restrictions shall not apply to permanent tent structures or small wireless structures.
7. Establishment: An Accessory Structure shall not be erected, altered or moved onto a lot prior to the establishment of a permitted Principal Structure on the same lot. Accessory Structures to any non-residential use or structure shall require Architectural Review Board approval prior to establishment.
8. Appeal: Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Architectural Review Board or Zoning Board, for final decision by the Village Board of Trustees.

B. Specific Requirements: The following Accessory Structures and Uses shall be permitted subject to the additional specific regulations set forth below:

ACCESSORY STRUCTURES AND USES 6-3-5(B)								P = Permitted S = Special Use			
	R1	R2	R2A	R3	R4	R5	B	E	O/I	M	
Beekeeping							B S	E	O/I	M	
<ul style="list-style-type: none"> • The practice of beekeeping shall be governed by Section 11-13-4-C. • Permitted on properties measuring 100 acres or greater. • Hives may be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10') from the side and rear property lines. Hives shall not be located within ten feet (10') of any sidewalk, path, or residence. 											
Chicken Keeping	R1 P	R2 P	R2A P	R3 P	R4	R5	B	E	O/I	M	
<ul style="list-style-type: none"> • The practice of chicken keeping shall be governed by Section 11-13-4-D. • Chicken coops and runs shall adhere to the following: <ol style="list-style-type: none"> 1. No taller than seven feet (7'). 2. Minimum floor area no smaller than 24 square feet. Maximum floor area no larger than 60 square feet. 3. May not be used for storage or activities other than the keeping of chickens. 4. Located in the rear yard with a minimum of 10 feet (10') from required setbacks. Must be within 10' from the principal structure. 5. Building materials must substantially match the color of the principal structure at all times. 6. Shall not be erected within a utility easement. 											
Flagpole & Flags	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M P	
<ul style="list-style-type: none"> • Flagpoles shall not exceed a height of fifteen feet (15') or 75% of the height of the Principal Structure, whichever is greater. • Flagpoles may be located beyond the front façade of the Principal Structure and shall comply with all required building setbacks or setbacks shall be equal to the pole height, whichever is greater. • Flagpoles shall be exempt from the Quantity requirement of Section 6-3-5(A)(6). In addition, Flagpoles in single-family residential lots shall be limited to one (1) flagpole per lot. 											
Gazebo	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M	
<ul style="list-style-type: none"> • Shall incorporate traditional/classical architectural detailing and ornamentation in the pillars, railings, walls, eave brackets, structural members, roof and/or similar elements • Shall have a shape of six (6) or more sides, with a maximum diameter of fifteen feet (15'). • Shall be open sided, with no more than 50% of any exterior side of the structure consisting of a solid wall surface. • Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; hot tubs; whirlpool tubs or similar equipment is prohibited. • Permanent or temporary windows or other installations are prohibited. The installation of screens to control insects and ceiling fans are permitted. • Storage is prohibited. • Shall be constructed of wood materials erected upon concrete piers or a structural foundation • Permitted within the required rear yard setback, provided the Gazebo is no closer than ten feet (10') from the nearest property line(s). 											
Greenhouse	R1 P	R2 P	R2A P	R3 P	R4	R5	B	E	O/I P	M	
<ul style="list-style-type: none"> • At least two walls and the roof of the structure must be glass or similar transparent materials. • Storage of materials other than plants shall not be visible from adjacent properties and public ways. 											

Commented [BG1]: Section to be created

Commented [BG2]: Section to be created

- Shall not include hoop houses, high tunnels, and similar temporary season-extending growing structures.

Memorial Garden	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- As defined in Section 6-2-2

Memorial Assembly Facility	R1 S	R2 S	R2A S	R3 S	R4 S	R5 S	B	E	O/I	M
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- Shall only be permitted as an accessory use to an assembly use, including but not limited to religious institutions or schools.
- Shall be permitted inside the principal structure on the lot.
- If located outside as an accessory structure, the following shall apply:
 1. Shall be located not less than 100 feet from any Lot Line where there is Frontage.
 2. Shall maintain a minimum distance of 135 feet from any Lot Line where there is no Frontage.
 3. Shall be located not more than 20 feet from the principal structure on the lot.
 4. Shall comprise an area no greater than 600 square feet.
 5. The structure shall have a height not greater than 3 feet.
 6. The structure shall be concealed from the adjacent right-of-way and contiguous residential Lots with vegetation which provides complete screening during the entire year and shall be a minimum of 6 feet tall at the time of planting (such vegetation shall not be considered part of the permitted area).
 7. The face of the structure into which cremated human remains are interred must substantially face towards the principal structure on the Lot.

Parking Garage Structure	R1	R2	R2A	R3	R4 S	R5 S	B S	E S	O/I S	M
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- Refer to permitted zoning districts for specific regulations.

Permanent Tents	R1	R2	R2A	R3	R4	R5	B P	E	O/I	M
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- Permitted on properties measuring 100 acres or greater.
- Permitted for assembly purposes only.
- Shall include a permanent foundation.
- Shall not exceed a height of twenty-five (25') feet from the established grade.
- Shall have a maximum gross floor area no greater than 10% of the gross floor area of the Principal Structure on the lot or 15,000 square feet, whichever is less.
- Storage of materials is prohibited except for limited storage of tables and chairs used in the tent.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten (10') from the side and rear property lines.

Personal Recreation Facility	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- Recreation courts/facilities which do not require a foundation, concrete slab, or impervious surface floor shall not require a building permit.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).
- Lighting shall be positioned and operated to minimize the amount of light and glare cast onto any adjacent property or street to not be a nuisance.

Play Structure	R1 P	R2 P	R2A P	R3 P	R4 P	R5	B	E	O/I	M
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- Structures which do not include a foundation or concrete slab shall not require a building permit.
- Playhouses shall not exceed 8 feet in height and a maximum floor area of sixty (60) square feet.
- Storage of materials is prohibited.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).

Private Residential Swimming Pools & Pool Houses	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- Private Residential Swimming Pools – Refer to Chapter 5 of Title 5 for specific requirements.
- The combination of a Private Residential Swimming Pool and Pool House shall be classified as one Accessory Structure/Use and exempt from the Quantity requirement of Section 6-3-5(A)(6).
- The use of a Pool Houses as a Second Residential Unit is prohibited.
- Pool Houses shall be constructed with the same materials used on the Principal Structure.
- Pool Houses shall be permitted only in conjunction with an in-ground swimming pool. Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; heating/air conditioning is permitted.

Second Residential Unit	R1 S	R2	R2A	R3	R4	R5	B	E	O/I	M
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- Refer to Section 6-5A-2(H) for specific requirements.

Small Wireless Facility	R1 S	R2 S	R2A S	R3 S	R4 S	R5 S	B P	E P	O/I P	M P
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- Small Wireless Facilities which require a special use must also meet the definition of a “no impact” facility, as described in Section 6-2-2.

- The maximum height of a small wireless facility collocated on an existing structure shall be limited to 10 feet above the structure on which the small wireless facility is collocated.
- The maximum height of a new small wireless facility which is not collocated on an existing structure may not exceed: (i) 10 feet in height above the tallest existing utility pole that is in place on the date the application is submitted, that is located within 300 feet of the small wireless facility and that is in the same right-of-way within the Village; or (ii) 45 feet above ground level.
- A small wireless facility collocated on an existing structure shall not count toward the floor area ratio and shall be exempt from Section 6-3-5(A)(1).

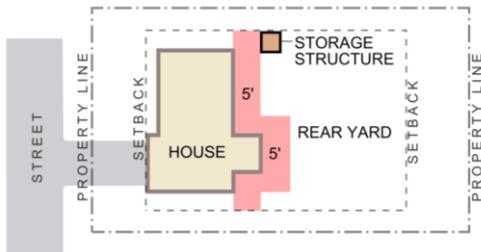
Short-Term Rental

- Except as otherwise provided herein, leasing a residential dwelling in any Residential zoning district (R1 through R5, inclusive) for less than three (3) months shall be prohibited.
- The term of any lease which has satisfied the minimum term required by these rules may be extended on a month-to-month basis so long as the tenant(s) remain the same.
- Residential dwellings shall not be leased more than two (2) times during any consecutive twelve (12) month period unless the rental agreement has been terminated by reason of a tenant default.
- The rental premises may comprise all or a part of the principal structure.
- The rental premises shall not count toward the limit of accessory structures otherwise permitted by this Chapter.
- The form of consideration exchanged for the rental premises does not affect whether it is treated as a short term rental for the purposes of this Chapter.
- The property owner shall remain responsible for compliance with all Village Codes during the term of any rental agreement unless the owner can show by clear and convincing evidence that the tenant caused the violation despite good faith efforts by the owner to abate the violation.
- No Temporary Structure shall be permitted to be used for short term rental.
- The prohibition on short term rentals for less than three (3) months shall not apply when the immediately preceding owner maintains possession of the dwelling unit after closing and leases it from the successor owner under a written lease agreement.

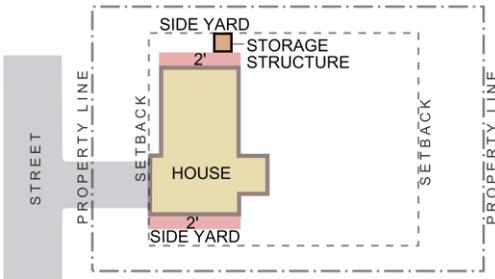
Storage Structure

R1	R2	R2A	R3	R4	R5	B	E	O/I	M
P	P	P	P						

- Shall be located in one of the following locations:
 Rear Yard: Within five feet (5') of the Principal Structure (see figure below)



- Side Yard: Within two feet (2') of the Principal Structure (see figure below)



- Shall have a maximum floor area of 100 square feet.
- Shall not exceed a height of ten feet (10') from the established grade.
- Shall be placed on a hard surface, including but not limited to a concrete pad, cement blocks or similar materials.
- Shall be screened by plant material that provides visual relief throughout the year from both the public way and adjacent properties.

- Plastic, corrugated metal, fiberglass and dryvit/stucco are prohibited unless they are the primary material(s) on the principal structure.

END OF ACCESSORY STRUCTURES AND USES LIST

6-3-5(B)

- C. Existing Non-Conforming Accessory Structures: Accessory structures existing as of July 10, 1995 shall be considered Non-Conforming and may be preserved, maintained and used subject to the restrictions in Chapter 13 of this Title.
1. Detached garages located within the Stonegate Circle Subdivision, as defined in Ordinance No. 62-000-70, shall not be subject to the restrictions in Chapter 13 of this Title, but shall be subject to flood plain and flood way regulations and are permitted to perform normal maintenance and incidental repair, reconstruction and restorations but may not increase the existing garage floor area.

6-3-6: TEMPORARY STRUCTURES AND USES

No temporary structure or use shall be established or erected on a lot unless it is specifically permitted by the requirements of this Section.

A. General Requirements

1. Authorization: Except as set forth in 6-3-6(B), a Temporary Use Permit shall be required from the Department of Community & Economic Development prior to the establishment of any temporary structure or use.
2. Location: All Temporary Structures shall meet the minimum required setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-6(B).
3. Temporary Use Permit: Application for a Temporary Use Permit shall be submitted to the Department of Community & Economic Development and shall be issued upon full compliance with the standards and submittal requirements set forth below:
 - a. An accurate site plan of the property to be used for the Temporary Use or Structure, including all information necessary to accurately locate and portray the Temporary Use or Structure on the premises. Sufficient information to determine compliance with yard requirements, availability of off-street parking, and adequate traffic circulation to service the proposed Temporary Use or Structure shall also be provided, as determined by the Department of Community & Economic Development.
 - b. A detailed written description of the proposed Temporary Use and/or depiction or illustration of building elevations for any proposed Temporary Structure.
 - c. Consent from the property owner or legal representative of the land owner shall be obtained in writing. A copy of such authorization shall be included with the Temporary Use Permit.
 - d. Such other data and/or certifications as may reasonably be required by the Director of Community & Economic Development for the purpose of enforcing the regulations set forth in this Title.
4. Conditions: A Temporary Use Permit may be subject to such special conditions and restrictions on the location and operation as deemed reasonably necessary by the Director of Community & Economic Development to protect the public health, safety and welfare in consideration of site specific conditions.

5. Revocation: A Temporary Use Permit shall be revoked if any of the standards and conditions imposed pursuant to this Section, or permit, are violated.
 6. Length of Permit: A Temporary Use Permit is valid for one (1) year from the date of issuance and shall be renewed each year, except as further regulated by Section 6-3-6(B). A permit fee in the amount outlined in the Comprehensive Fee Schedule shall be collected for the permit.
 7. Appeal: Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Zoning Board, for final decision by the Village Board of Trustees.
- B Specific Requirements: The following Temporary Structures and Uses shall be permitted and are further subject to the specific regulations set forth below:

TEMPORARY STRUCTURES AND USES 6-3-6(B)		TUP = Temporary Use Permit Required P = Permitted (No Permit Required) BP = Building Permit Required									
Construction/Contractor Trailer/Office	R1 BP	R2 BP	R2A BP	R3 BP	R4 BP	R5 BP	B BP	E BP	O/I BP	M BP	
<ul style="list-style-type: none"> Refer to Section 5-1-8(7), <i>Temporary Trailers</i>, for specific requirements. 	R1	R2	R2A	R3	R4	R5 TUP	B TUP	E TUP	O/Ia TUP	M	
<ul style="list-style-type: none"> Permitted a maximum of one (1) day within a consecutive seven (7) day period. The hours of operation are limited to a maximum six (6) hour period, which includes vendor set-up and removal, subject to the approval of the Director of Community & Economic Development. All products sold by vendors must be home-grown or home-made, and sold by the producer(s), family member(s), employee(s), or designated representative(s). In the event a vendor is deemed not to meet these criteria, but is determined the vendor adds material value to the market, the Director of Community & Economic Development has authority to make exceptions to such criteria. Other related activities, special programs and events may be conducted on the premises subject to the review and approval of the Director of Community & Economic Development. A Market Manager shall be designated by the Applicant to serve as the principal person responsible for overseeing the operations of the market. The Market Manager shall ensure all waste, debris, or any other evidence of the market is removed from the premises no later than two (2) hours after closing time. All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire and the Lake County Department of Health and the State of Illinois at all times. 	R1 TUP	R2 TUP	R2A TUP	R3 TUP	R4 TUP	R5 TUP	B TUP	E	O/Ia TUP	M	
<ul style="list-style-type: none"> Shall be permitted up to three (3) consecutive days between the hours of 8:00 a.m. and 5:00 p.m. each day. Not more than two (2) garage sales shall be conducted on the same premises within a calendar year with a minimum thirty (30) days between each sale. In the event of rain during the three (3) day sale period, such sale period may be extended one additional day within the subsequent seven (7) days for each day of rain. A Temporary Use Permit shall be obtained from the Department of Community & Economic Development not less than 48 hours prior to the start of any garage sale. Signage shall be in compliance with Section 12-13-1, <i>Temporary Signs</i>, of the Lincolnshire Sign Control. 	R1	R2	R2A	R3	R4	R5 TUP	B TUP	E	O/Ia TUP	M	
<ul style="list-style-type: none"> Shall be permitted during the months of October, November and December. All items to be displayed and sold shall consist of natural materials (for example; pumpkins, holiday trees and wreaths, etc.). Adequate vehicular access and off-street parking provisions shall be provided on-premises of the operation, subject to the determination of the Director of Community & Economic Development. Daily operations shall conclude at 9:00 PM. One temporary structure shall be permitted for office, sales, or storage uses and shall comply with all yard requirements of this Title. Outdoor lighting as described in Section 6-3-15 shall apply, regardless of location. All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire Health Code, the Lake County Department of Health and the 											

State of Illinois.

Mobile Services	R1	R2	R2A	R3	R4	R5	B TUP	E TUP	O/I TUP	M TUP
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- Shall be located entirely on private property and shall only provide service to the owner, tenants and their respective employees or customers with a scheduled appointment window of less than thirty (30) minutes. Consent from the property owner or legal representative of the property owner must be obtained in writing in advance, and a copy of such authorization shall remain on file with the Community & Economic Development Department.
- All services and product storage shall occur within a fully enclosed facility, which may include a mobile facility. All waste, including fluids, shall be contained within the facility and properly disposed pursuant to local, state, and federal guidelines/regulations. Minor services may be permitted outdoors, as authorized by the Department of Community & Economic Development.
- Permitted a maximum of three (3) days in a consecutive seven (7) day period.
- All signage, product and service information must be securely attached to the mobile facility. Directional signs may be permitted to ensure proper traffic circulation and access, as authorized by the Department of Community Economic Development.
- The location of the operation shall not interfere with vehicle ingress and egress to the premises, nor impede traffic circulation in any way.
- Set-up and removal of the Mobile Services must occur within the same day of operation. Overnight storage and parking of equipment is prohibited.
- A separate Temporary Use Permit shall be required for each individual location of operation, regardless if all services are performed by the same owner/operator.
- All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire Health Code, the Lake County Department of Health and the State of Illinois.

Mobile Food Vendor	North Park, Spring Lake, Public Schools TUP				R5 TUP	B TUP	E TUP	O/I TUP	M TUP
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- Shall possess a valid license for operation from the Lake County (IL) Health Department. A copy must be submitted to the Department of Community & Economic Development prior to operation.
- Parking or standing in any public right-of-way for the purpose of preparing, cooking, serving or selling products shall be prohibited, with the exception of ice cream vending.
- All of the proprietor's activity associated with a Mobile Food Vendor must occur within the vehicle.
- Consent from the property owner or legal representative of the land owner, either written or verbal, must be obtained prior to operation.
- All signage, product and menu information must be securely attached to the mobile food vehicle.
- Operation shall be permitted for a maximum of four (4) hours at any single location.

Model Sales Office/Unit/Trailer	R1 BP	R2 BP	R2A BP	R3 BP	R4 BP	R5 BP	B	E	O/I	M
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- Shall be permitted upon the recording of a final plat of subdivision for sales or marketing of any residential development and shall not be used for general office purposes.
- Shall be located on the same premises as the development site and must be securely affixed to the ground and meet all applicable codes and regulations of the Village, including building setbacks, light, ventilation, egress, and space for the occupancy of a structure.
- Must be removed upon the sale of the last unit of the development.
- Shall not contain any sleeping or cooking accommodations, unless located in a model unit.

Seasonal Structure	R1 P	R2 P	R2A P	R3 P	R4 P	R5	B	E	O/I	M
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- Only one (1) Seasonal Structure shall be permitted at any one time.
- Shall be permitted for a portion of the year for seasonal use only, and shall not remain for an uninterrupted period longer than six (6) months within any consecutive twelve (12) month period.
- Shall not include a permanent foundation.
- Shall not exceed a height of fifteen feet (15') from the established grade.
- Shall have a maximum floor area ratio no greater than 10% of the gross square feet of the Principal Structure on the lot.
- Storage of materials is prohibited.
- Installation of natural gas, water supply or sanitary sewer service, plumbing fixtures or similar utilities is prohibited.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10') from the side and rear property lines.
- **Shall not include hoop houses, high tunnels, and similar temporary season-extending growing structures.**

Temporary Event	R1	R2	R2A	R3	R4	R5 TUP	B TUP	E TUP	O/I TUP	M TUP
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- Event hours are limited between the hours of 9:00 a.m. and 11:00 p.m.
- Permitted a maximum of three (3) consecutive days.
- No more than two (2) temporary events shall be permitted on the same premises in any calendar year.

- An Event Manager shall be designated to serve as the principal person responsible for overseeing the operations of the event. The Event Manager shall ensure all waste, debris or any other evidence of the event is removed from the premises no later than two (2) hours after the closing time.
- Adequate off-street parking shall be provided on the premises of the temporary event, as determined by the Department of Community Development. Off-premises parking locations may be permitted, subject to the authority of the Department of Community Development.
- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Temporary Sales	R1	R2	R2A	R3	R4	R5	B	E TUP	O/I TUP	M TUP
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- Shall be associated with an existing permitted use or Special Use.
- Products to be sold shall be manufactured, warehoused or distributed in the normal business operation. No products shall be brought from other sources for the purposes of the temporary sale.
- All temporary retail sales, including the display of products, shall take place within the fully enclosed building associated with the principal use.
- No more than three (3) temporary sales events shall be permitted on the same premises in any calendar year.
- Adequate off-street parking shall be provided on the premises of the temporary sale, as determined by the Department of Community Development.
- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Temporary Tents	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M P
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- Shall be permitted for a portion of the year for seasonal use only.
- Shall not remain for an uninterrupted period longer than six (6) months in non-residential districts and 30 days in residential districts within any consecutive twelve (12) month period.
- Shall not exceed a height of twenty-five (25') from the established grade.
- Shall have a maximum gross floor area ratio no greater than 10% of the gross floor area of the Principal Structure on the lot or 5,000 square feet, whichever is less.
- Storage of materials is prohibited.
- Installation of natural gas, water supply or sanitary sewer service, plumbing fixtures or similar utilities is prohibited.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10') from the side and rear property lines.

End of Temporary Structures and Uses List 6-3-6(B)

6-3-7: SPECIAL USES
Where a lawful use exists on the effective date of this Zoning Code or an amendment thereto and it is classified as a special use in the district in which it is located by this Zoning Code, it shall be considered as a lawful special use.

6-3-8: YARDS

A. General

1. For the purposes of this Section, "Required Yard" shall mean any yard subject to building setbacks.
2. No lot shall be reduced in area so that the yards or other open spaces become less than required by this Zoning Code.
3. On a vacant corner lot, any street lot line may be established as the front lot line; except where two (2) or more contiguous lots have duly established a front lot line, the same street lot line shall thereafter be deemed the front lot line. On a through lot, a front yard shall be provided along both street lot lines.

B. Permitted Obstruction in Any Required Yard Setback

1. Chimneys, overhanging roof eaves, open terraces, and awnings adjoining the principal building, provided they do not exceed ten percent (10%) of the depth or width of the yard.

2. Ornamental light poles and fixtures.
3. Landscaping as regulated in Sections 8-3-4(B); *Parkways*; and 13-2-5; *Landscape Requirements in Public Right-of-Ways*, provided that on corner lots, no obstruction higher than thirty inches (30") above curb level shall be located within twenty feet (20') of the lot corner formed by the intersection of any two (2) right-of-way lines.
4. Fences and Screens as regulated in Chapter 15 of Title 6.
5. Off-street Parking and Loading Improvements as regulated in Chapter 11 of Title 6.
6. Paved surfaces provided they are no closer than five feet (5') from any Property Line.
7. Signs as regulated in Title 12.
8. Cable satellite antennas or SESA no larger than twenty-four inches (24") in diameter.
9. Underground lawn irrigation systems as regulated in Section 8-3-9.
10. Electric dog fences as regulated in Section 8-3-9.

C. Permitted Obstructions in Required Front Yard Setback

1. Mailboxes
2. Decorative walls subject to the following requirements:
 - a. A maximum overall height of three and one half feet (3'-6").
 - b. A maximum of two (2) columns per wall segment and a maximum of two (2) wall segments per frontage or primary curb cut.
 - c. Columns shall not exceed an overall height of five feet (5') and have a maximum square width of twenty-four inches (24").
 - d. The total length of the decorative wall, including columns, shall not exceed fifteen percent (15%) of the lot's frontage.
 - e. Decorative walls and columns shall be finished in the same exterior materials as the Principal Structure.
 - f. A light element is permitted atop columns and shall not exceed eighteen inches (18") in overall height in addition to the overall height of the columns.
3. Decorative columns subject to the following requirements:
 - a. A maximum height of five feet (5') and have a maximum square width of twenty-four inches (24");
 - b. Shall be finished in the same exterior materials as the Principal Structure.
 - c. A light element is permitted atop columns and shall not exceed eighteen inches (18") in overall height in addition to the overall height of the columns.

D. Permitted Obstructions in Required Side Yard Setback

1. Fences as regulated in Chapter 15 of Title 6 provided that no portion of a fence shall be constructed within a dedicated conservancy area/ easement, which extends continuously between adjacent lot lines.
2. Swimming pools, hot tubs, and spas, as regulated in Chapter 5 of Title 5.
3. Seasonal Structures, provided a minimum ten foot (10') setback from the side property line is established.

E. Permitted Obstructions in Required Rear Yard Setback

1. Play Structures, provided a minimum ten foot (10') setback from any property line is established.
2. Laundry Drying Equipment.
3. Arbors and Trellises.
4. Gazebo, provided gazebo is no closer than ten (10') feet from the nearest property line(s).
5. Personal Recreation Facility, provided they are no closer than ten (10') feet from the nearest property line(s).
6. Swimming pools, hot tubs and spas, as regulated in Chapter 5 of Title 5.
7. Seasonal Structures, provided they are no closer than ten (10') feet from the nearest property line(s).
8. Fences as regulated in Chapter 15 of Title 6 provided that no portion of a fence shall be constructed within a dedicated conservancy area/ easement, continuously between adjacent lot lines.

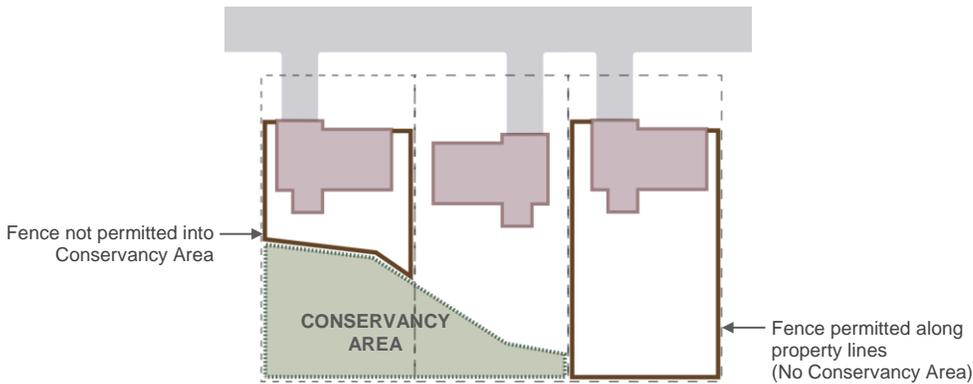


Illustration for 6-3-8-E(8)

6-3-9: FLOODPLAIN REGULATIONS

The provisions of Title 5 Chapter 7 entitled "Flood Damage Prevention" be and are hereby incorporated by reference as regulations governing all development under this Zoning Code, and such provisions shall apply to the full extent as if set forth at length herein. (Ord. 80-643-50)

6-3-10: OCCUPANCY OF DWELLING UNITS

- A. No dwelling units shall be occupied by more than one family as defined by this Zoning Code, except as hereinafter provided.
- B. No dwelling unit which contains less than one thousand seven hundred fifty (1,750) square feet of floor area shall be used to provide living quarters for roomers, servants or permanent guests.
- C. Where a dwelling unit is not occupied by a family as provided in A or B above, said dwelling unit may be occupied by not more than three (3) unrelated persons; provided that said dwelling unit contains not less than five hundred eighty three (583) square feet of floor area for each such occupant.
- D. Where the floor area of a dwelling unit exceeds one thousand seven hundred fifty (1,750) square feet, and the "family" occupying said dwelling unit does not consist of unrelated persons, said dwelling unit may be used for living quarters for not more than two (2) servants, roomers, or permanent guests, provided that said living quarters are located within and are physically an integral part of the dwelling unit.

6-3-11: CONVERSION OF EXISTING STRUCTURES FOR RESIDENTIAL USES

- A. No building may be converted to a use or in a manner not allowed by the regulations of the zoning district within which said building is located.
- B. Every conversion must comply with the regulations of the Building Code, Title 5 of this Code, and all other applicable regulations of the Village.
- C. Where a building is nonconforming in respect to height, bulk, lot area per dwelling unit, required yards or off-street parking (See Chapter 13 of this Title), no conversion shall be permitted, unless said building is brought into conformity with all applicable requirements of this Zoning Code (Ord. 65138-15).

6-3-12: HEATING REQUIREMENTS

All primary heating units shall be operated by electricity, gas, oil or solar energy. (Ord. 82-744-51)

6-3-13: CONSTRUCTION AND INSTALLATION OF EXTERIOR SATELLITE EARTH STATION ANTENNAS

- A. Village Policy: It is the stated policy of the Village that installation of satellite earth station antennas (SESA) and equipment can, unless controlled, adversely affect health, safety and aesthetic values and objectives of the Village and its residents in all zoning districts. The Village considers the rural ambience and residential character to be an extremely important aspect of the community's quality of life. Great care is taken to protect these aesthetic values through preservation of natural resources and protection of the visual environment. One of the very important means by which this goal can be achieved is by recognizing that satellite earth station antennas of all sizes, shapes, varieties and uses constitute physical additions and potential hazards to the Village of such character that their construction, placement, installation and use requires close examination and constant review by the Village. Satellite earth station antennas

are structures quite different in appearance from typical structures anticipated by the Codes of the Village and the installation of satellite earth station antennas may not be compatible with existing structures and land uses in the Village. The appearance of this SESA from neighboring properties and the removal of desirable vegetation to allow placement of the SESA are major negative consequences of such systems. In addition, it is extremely important that all safety aspects be addressed to protect persons and property including wind loads, attractive nuisances to children, site lines on roadways and other factors.

In every case the entire installation must be compatible with the character of the surrounding area of the Village and shall not have an adverse impact on the health, safety or aesthetic values and planning objectives of the area.

In view of the foregoing, in order to protect the health, safety and welfare of the Village and to provide for reasonable regulation, all exterior satellite earth station antennas, including all forms of receivers of satellite transmissions, shall be considered structures subject to the terms of the Village Code and shall be subject to all ordinances relating to structures.

- B. General Regulations: The construction and installation of the satellite earth station antenna must strictly conform to all Village Ordinances.
1. Appearance: The installation must exhibit architectural quality.
 - a. Location
 - (1) All portions of the satellite earth station antenna shall be located only in rear yards and not within a required rear or side yard setback as defined in the Zoning Title, unless otherwise provided for in this Section.
 - (2) Installations shall not be permitted in, or be permitted to extend into that portion of a lot between any front facade of a building and a public way.
 - (3) Consideration shall be given to protection of the health, safety, and welfare of children as in the case of an attractive nuisance.
 - (4) No satellite antenna shall be installed on a vacant lot.
 - b. Height
 - (1) Installation on poles (other than the mount), masts and towers is prohibited.
 - (2) Installation shall be subject to the specific regulations for type of antenna: ground, roof, wall-mounted.
 - c. Materials
 - (1) The satellite earth station antenna shall be constructed of noncombustible and corrosive resistant materials.
 - (2) The reflector element of the SESA shall be mesh construction unless otherwise specifically allowed by these regulations.
 - d. Color: All parts of the satellite earth station antenna and appurtenant equipment shall be of a color that will blend with the surroundings and any immediately adjacent structure.

- e. **Miscellaneous:** Advertising names and logos shall not be permitted on the structure except when the removal of such name or logo would interfere with adequate reception.
- 2. **Installation:** All systems shall be installed strictly in accordance with all codes adopted by the Village, shall exhibit structural integrity at all times, and shall comply with the manufacturer's requirements.
 - a. **Method of Attachment:** The permanent foundation or mounting for the antenna shall be adequate for anticipated wind loads. Fixed elevation antennas shall be installed to withstand 125 m.p.h. winds, while adjustable installations must be designed to withstand 100 m.p.h. winds.
 - (1) **Ground Mounted:** The supporting structure for the SESA is to be permanently ground mounted and embedded in, or an integral part of a monolithic concrete footing to a depth below the frost line. The SESA or supporting structure shall not be attached to any building or structure on the lot.
 - (2) **Roof Mounted:** Installation of an antenna on a roof must accommodate both live and dead load requirements.
 - (3) **Wall Mounted:** The mast and foot assembly shall be in accordance with the manufacturer's requirements based on the material to which the structure is to be mounted.
 - b. **Safety:** The unit shall be adequately grounded for protection against a direct lightning strike or accidental electrical energizing of the unit.
- 3. **Maintenance:** All portions of the SESA and required screening shall be maintained in a safe, clean and attractive condition by the property owner.
- 4. **Miscellaneous:** The exterior display of samples, models or facsimiles of an SESA used by any business establishment such as a company, firm, installer or contractor for the purpose of promoting the sale thereof, shall be subject to all of the applicable requirements of this Section. Experimental or temporary installations, inferior materials and questionable stability shall not be permitted.

C. Specific Regulations

- 1. **Ground Mounted Antenna**
 - a. **Location:** Located a minimum of 10' from any building or structure on the lot and entirely behind the rear building facade.
 - b. **Height:** The height of a ground mounted SESA or any portion thereof, shall not extend more than the diameter of the satellite reflector element plus two feet (2') from ground level.
 - c. **Size:** The diameter of the satellite earth station antenna reflector element shall be the smallest practical size and in no instance shall exceed 10'.
 - d. **Material:** The reflector element shall be constructed of mesh materials unless otherwise provided for in this Section, or if the size of the reflector element is 24" or less in diameter.

- e. Color: A color which blends with the natural surroundings of the site or immediately adjacent structure.
- f. Quantity: Not more than one ground mounted satellite earth station antenna shall be installed on a single zoning lot or building site.
- g. Screening: An earth berm, fence, walls, arbors or other appropriate landscaping (and also natural woodland vegetation), including trees, shrubs, and hedges approved by the Village Forester shall be installed and maintained to screen the SESA as completely as possible without preventing reception to said antenna. The SESA shall be screened so as to obscure views of the system from adjoining properties and public ways at all times.

2. Roof Mounted Antenna

Single Family Detached Residential Structures

The installation of the SESA shall be permitted on a peak, pitched, sloped, flat roof or chimney provided the design of the system is in keeping with the Village Policy for the Construction and Installation of Exterior Satellite Earth Station Antennas and in accordance with the following regulations:

- a. Location: The SESA shall be located on a side of the principal structure which does not face a public way.
- b. Height: The maximum height of the SESA and all appurtenant equipment shall not exceed the maximum building height for the applicable zoning district.
- c. Size: The diameter of the SESA shall not exceed 24".
- d. Material: Unrestricted.
- e. Color: A color which blends with the natural surroundings of the site or immediately adjacent structure.
- f. Quantity: No more than one (1) SESA shall be permitted per principal structure.
- g. Screening: The SESA shall be so located that views of the system are obscured from public ways.

All Other Structures

Flat Roof: The SESA must be screened in full compliance with rooftop equipment screening requirements of the Village Code.

Peak, Pitched, Sloped Roofs: Installation on a peak, pitched, or sloped roof shall require an Architectural Review recommendation and Village Board approval.

3. Wall Mounted: Wall mounted antennas shall be permitted for a single family detached residence only as regulated below.

- a. Location: Any facade of a building which does not face a public way.

- b. Height: The maximum height of the SESA and all appurtenant equipment shall not exceed the maximum building height for the applicable zoning district.
- c. Size: Maximum size of the reflector element shall be 24" in diameter.
- d. Material: May be of solid construction.
- e. Color: A color which blends with the adjacent wall to which it is attached and shall otherwise blend with the natural surroundings of the site. In no instance shall the wall mounted antenna be of a contrasting color with the wall to which it is attached.
- f. Quantity: Not more than one (1) wall mounted antenna shall be allowed per principal structure.
- g. Screening: Not required.

D. Permit Requirements

1. Application: Any person wishing to install a satellite earth station antenna shall submit a complete application for a building permit on a form provided by the Department of Community Development for review, approval and issuance prior to installation. Said application shall be accompanied by three (3) complete sets of the documents and plans outlined below. No building permit shall be granted for a satellite earth station antenna unless all regulations pertaining to the installation are in compliance with the applicable Village Code regulations.
2. Plat of Survey or Rooftop Equipment Plan: An accurate plat of survey of the lot in question indicating the proposed location of the satellite earth station antenna, all structures on the subject property, location and name of all immediately adjacent streets, location of the principal structure on immediately adjacent properties and existing vegetation on the subject property or a rooftop equipment plan drawn to scale.
3. Reflector Element Projections: The projections of the reflector element at extremes of the satellite band to be viewed in order to depict the reception lanes. This requirement will be satisfied by drawing radial lines from a point representing the pivot point of the SESA to each end of the satellite band and then drawing a line perpendicular to each radial at a distance between the rim of the reflector element to the pivot point. Each perpendicular line should be scaled to the diameter of the reflector element to show its maximum projection on the plan at the extremes of its satellite scan. Compass directions will be adequate for this requirement.
4. Plans/Specifications/Cut Sheets
 - a. Plans and specifications for the entire installation including elevations, SESA configuration, mount, foundation, electrical wiring and any motorization, or other proposed housing. Plans and specifications must be certified by the preparer to comply with all applicable Village Codes and must be drawn to scale.
 - b. Manufacturer's installation instructions and requirements.

- c. Structural Engineer Design Criteria Drawings and Calculations stamped by an Illinois Licensed Structural Engineer must be submitted if required by the Department of Community Development for rooftop installations.
- 5. Landscape Plan: Landscape plan for screening the installation from the view of neighboring properties and public and private streets as required for ground mounted installations.

E. Variations

- 1. Administrative Variations: Where there are practical difficulties in carrying out the requirements of this Section which prevent reception, the applicant may submit a written request for consideration of an Administrative Variation to the requirement(s). Said request shall be submitted to the Department of Community Development and shall detail the specific code requirement(s) and how reception is prevented. The Department of Community Development shall review the request.

In the event a hardship occurs in meeting the strict application of these regulations as they pertain to adequate reception only, the Department of Community Development shall be authorized to grant an administrative variation provided the following is substantiated:

- The specific hardship that exists.
- The requested variation is in keeping with the spirit of this Section and the public health, welfare, and safety.

The Department of Community Development may, at the applicant's expense, choose to hire an independent consultant to verify that adequate reception would not be possible if the strict application of the requirements were applied.

Specific reasons for granting an Administrative Variation shall be provided in writing and shall be attached to the permit issued for the applicable antenna. The Administrative Variation shall be identified by the appropriate Village Code Section and the specific allowance shall be indicated on the permit.

- 2. All Other Zoning Variations: In the event the person charged with administering the provisions of this Section determines that a requested variation is not based solely on the provision for adequate reception, a recommendation from the Zoning Board and a zoning variation approved by the Mayor and Board of Trustees must be granted prior to a building permit being issued to install said antenna.

F. Appeals: The Village Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the person charged with the enforcement of this Section. (amd. entire section 6-3-13 Ord. 95-1380-10, eff. 2/13/95)

6-3-14: SALES ACTIVITIES; VENDING AND ICE MACHINES

All sales activities conducted in all zoning districts, including sales from vending machines and ice machines, shall be conducted within completely enclosed buildings. In addition, no vending machine or ice machine shall be stored or displayed outside a completely enclosed building in any zoning district. The restrictions of this Section shall not apply to news racks which are covered by the provisions of Chapter 5 of Title 8 of this Code. (Ord. 90-1178-62) The restrictions

of this Section shall not apply to Temporary Uses which shall be regulated by the provisions of Section 6-3-6 of this Code.

6-3-15: OUTDOOR LIGHTING:

- A. Application: These regulations shall govern the design and operation of all outdoor luminaires in all nonresidential zoning districts and by all non-residential uses in all residential zoning districts. However, to promote safety in the ordinary and intended use of rights-of-way these regulations shall not apply to any luminaires owned and operated by a State or local highway authority for the purpose of illuminating the right-of-way.
- B. Light Intensity: Any permitted outdoor luminaire shall be so designed, arranged and operated so as to mitigate the amount of light and glare being cast onto any adjacent property or street. No outdoor luminaire, regardless of the zoning lot onto or from which it causes illumination, shall produce an intensity in excess of one-half (0.5) footcandles, as measured at the property line at a height of 60 inches above grade in a plane at any angle of inclination.
- C. Installed Luminaire Height: The installed height of any luminaire used for outdoor lighting on any zoning lot shall not exceed 25 feet from the established grade. (Ord. 08-3049-32, eff. 08/11/08)

6-3-16: ADULT USE CANNABIS BUSINESS ESTABLISHMENTS

- A. All Adult Use Cannabis Business Establishments, as defined in Section 6-2-2 of this Title, are prohibited. No person shall locate, operate, own, suffer, allow to be operated, aide, abet, or assist in the operation of an Adult Use Cannabis Business Establishment within the Village's corporate limits. Adult Use Cannabis Business Establishments do not include Medical Cannabis Cultivation Centers or Medical Cannabis Dispensary Organizations as set forth in Section 6-2-2 of this Title.

FINDINGS OF FACT

On An Application for a Text Amendment regarding Accessory Uses & Structures (Beekeeping)

Mayor and Board of Trustees
Village of Lincolnshire
1 Olde Half Day Road
Lincolnshire, IL 60069

Honorable Mayor and Board of Trustees:

We transmit for your consideration a **favorable recommendation** vote by the Zoning Board of the Village of Lincolnshire to recommend approval of the application for a text amendment related to accessory structures and uses including beekeeping. The text amendment would allow beekeeping as a special accessory use on properties located within the B zoning districts comprised of 100 acres or more.

Following due notice, as required by the Title 6 (Zoning) of the Lincolnshire Village Code, the Zoning Board held a public hearing on March 10, 2020, in the Village Hall, and continued the public hearing virtually on August 11, 2020. Upon having reviewed materials submitted by staff and a staff memorandum with attachments prepared by the Community & Economic Development Department, and having heard Village staff comments and the sworn testimony of all interested parties desiring to be heard at the public hearing, the Zoning Board deliberated and reached the following Findings of Fact:

Standards

1. The request for an amendment shall serve the purpose of promoting the public health, safety, and general welfare because:

Beekeeping is a sustainable agricultural use which promotes community pollination, food supplies, and fosters bee populations outside of the commercial beekeeping industry.

2. The request for an amendment shall conserve the value of property throughout the community because:

Beekeeping provides a safe and effective alternative revenue source for large scale properties capable of mitigating the secondary effects on neighboring uses, promoting the continued occupancy and operation of such property.

3. The request for an amendment shall lessen or avoid congestion in the public streets and highways because:

Local food production reduces reliance on shipping, thereby eliminating trips on public streets and highways and reducing congestion.

***Chair Brian Bichkoff and Members of the Zoning Board
August 11, 2020***

FINDINGS OF FACT

On An Application for a Text Amendment regarding Accessory Structures (Hoop Houses)

Mayor and Board of Trustees
Village of Lincolnshire
1 Olde Half Day Road
Lincolnshire, IL 60069

Honorable Mayor and Board of Trustees:

We transmit for your consideration a **favorable recommendation** vote by the Zoning Board of the Village of Lincolnshire to recommend approval of the application for a text amendment related to accessory structures including hoop houses, high tunnels, and similar temporary season-extending growing structures. The text amendment would prohibit these types of structures as accessory structures or seasonal structures.

Following due notice, as required by the Title 6 (Zoning) of the Lincolnshire Village Code, the Zoning Board held a public hearing on March 10, 2020, in the Village Hall, and continued the public hearing virtually on August 11, 2020. Upon having reviewed materials submitted by staff and a staff memorandum with attachments prepared by the Community & Economic Development Department, and having heard Village staff comments and the sworn testimony of all interested parties desiring to be heard at the public hearing, the Zoning Board deliberated and reached the following Findings of Fact:

Standards

1. The request for an amendment shall serve the purpose of promoting the public health, safety, and general welfare because:

Hoop houses, high tunnels, and other similar season-extending growing structures are intended to be temporary and mobile, causing them to be more easily damaged and poorly maintained, resulting in negative aesthetic impacts on the community; and

Damaged seasonal structures which fail to provide security against animals tend to promote an increase of nuisance animals, including skunks, foxes, squirrels, rats and deer, which damage private property and local landscaping.

2. The request for an amendment shall conserve the value of property throughout the community because:

The mitigation of any negative secondary effects from hoop houses, high tunnels, and other similar temporary season-extending growing structures will preserve the value of property throughout the community.

3. The request for an amendment shall lessen or avoid congestion in the public streets and highways because:

The amendment will not affect the amount of vehicle trips on public streets.

***Chair Brian Bichkoff and Members of the Zoning Board
August 11, 2020***

FINDINGS OF FACT

On An Application for a Text Amendment regarding Accessory Uses & Structures (Residential Chicken Keeping)

Mayor and Board of Trustees
Village of Lincolnshire
1 Olde Half Day Road
Lincolnshire, IL 60069

Honorable Mayor and Board of Trustees:

We transmit for your consideration a **passed / failed** vote by the Zoning Board of the Village of Lincolnshire to recommend approval of the application for a text amendment related to accessory structures and uses including chicken keeping. The text amendment would allow chicken keeping as an accessory use on residential properties located within the R1, R2, R2A, and R3 zoning districts.

Following due notice, as required by Title 6 (Zoning) of the Lincolnshire Village Code, the Zoning Board held a public hearing on March 10, 2020, in the Village Hall, and continued the public hearing virtually on August 11, 2020. Upon having reviewed materials submitted by staff and a staff memorandum with attachments prepared by the Community & Economic Development Department, and having heard Village staff comments and the sworn testimony of all interested parties desiring to be heard at the public hearing, the Zoning Board deliberated and reached the following Findings of Fact:

Standards

1. The request for an amendment shall serve the purpose of promoting the public health, safety, and general welfare.

Permitting the keeping of chickens on residential properties will reduce the demand for eggs sold at retail, which will reduce the need for transporting eggs at commercial farms. Reducing the transportation of eggs raised at commercial farms will reduce the community's reliance on fossil fuels and reduce greenhouse gas emissions, resulting in greater public health and welfare.

2. The request for an amendment shall conserve the value of property throughout the community.

The regulations described in the text amendment are designed to ensure that, with strict compliance with such regulations, the side effects arising from keeping of chickens on residential properties are kept solely on the property where the chickens are raised, and do not result in a nuisance for neighboring properties. As a result, the text amendment conserves property values throughout the community.

3. The request for an amendment shall lessen or avoid congestion in the public streets and highways.

Permitting the keeping of chickens on residential properties will reduce the demand for eggs sold at retail, which will reduce the need for transporting eggs at commercial farms. Reducing the transportation of eggs raised at commercial farms will lessen or avoid congestion in the public streets and highways.

***Chair Brian Bichkoff and Members of the Zoning Board
August 11, 2020***

Notice of Public Hearing

Notice is hereby given that the Zoning Board of the Village of Lincolnshire will conduct two Public Hearings on **Tuesday, March 10, 2020** beginning at 7:00 p.m., or as soon thereafter as practical, in the Board Room of the Lincolnshire Village Hall, 1 Olde Half Day Road, Lincolnshire, Illinois 60069, to consider the following:

A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5A (R1, R2, and R3 Single-Family Residence Districts), 5B (R2A Single-Family Residence District), and 6B (B2 General Business District) of Title 6 (Zoning) of the Lincolnshire Village Code, to define and regulate certain accessory structures and uses, including greenhouses, hoop houses, the harboring of chickens on residential property, and the harboring of bees on nonresidential property.

A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5D (Mixed Use General Residence District), 6A (B1 Retail Business District), 6B (B2 General Business District), 6C (E Small Scale Office District), and 8 (Office/Industrial District) of Title 6 (Zoning) of the Lincolnshire Village Code to define and regulate massage therapy businesses as special accessory uses.

The petitioner for both applications is the Village of Lincolnshire. The project files are available for viewing in the Community & Economic Development Department of the Village of Lincolnshire during normal business hours to any interested persons who wish to obtain additional information regarding this request. All interested persons present at the Public Hearings will be given an opportunity to be heard. Interested parties may also submit written evidence or testimony in advance to the Community & Economic Development Department. The above indicated hearings may be continued from time to time and without further notice, on the motion of the Zoning Board.
/ Brian Blichkoff, Chair
Zoning Board, Village of Lincolnshire
2/21/2020
Published in Daily Herald February 24, 2020 (4541140)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of

Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn,
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Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills,
Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn,
East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake,
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Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich,
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Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake,
Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods,
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Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow,
St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills,
Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood,
Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 02/24/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY 
Authorized Agent

Control # 4541140

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Board of the Village of Lincolnshire will conduct Public Hearings on **Tuesday, August 11, 2020**, beginning at 7 p.m., or as soon thereafter as practical, in a virtual/remote meeting, to consider the following applications:

1. A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5A (R1, R2, and R3 Single-Family Residence Districts), 5B (R2A Single-Family Residence District), and 6B (B2 General Business District) of Title 6 (Zoning) of the Lincolnshire Village Code, to define and regulate certain accessory structures and uses, including greenhouses, hoop houses, the harboring of chickens on residential property, and the harboring of bees on nonresidential property.

2. A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5D (Mixed Use General Residence District), 6A (B1 Retail Business District), 6B (B2 General Business District), 6C (E Small Scale Office District), and 8 (Office/Industrial Districts) of Title 6 (Zoning) of the Lincolnshire Village Code to define and regulate massage therapy businesses as special accessory uses.

The petitioner for both applications is the Village of Lincolnshire. The project files are available for viewing in the Community & Economic Development Department of the Village of Lincolnshire during normal business hours to any interested persons who wish to obtain additional information regarding these applications. All interested persons participating in the Public Hearings will be given an opportunity to be heard. Interested parties may also submit written evidence or testimony in advance to the Community & Economic Development Department. The above indicated Public Hearings may be continued from time to time and without further notice, on the motion of the Zoning Board. Below are remote public participation options:

View/Listen

- o Watch live on Cable Channel 10 or <https://global.gotomeeting.com/join/573024269>.
- o Listen live via phone at 312-757-3121 (access code 573-024-269).

Public Comment & Testimony

o Call 847-913-2312 to leave a voicemail message with your comment by 5:00 p.m. on Tuesday, August 11, 2020. For members of the public leaving voicemails, the voicemails must be:

Inclusive of the commenter's name, organization/agency being represented, address (street, city, state), phone number, and the topic or agenda item number the commenter is addressing.

- o No more than two minutes in length.
- o Free of any abusive or obscene language.

o Email your comment to VOLPublicComment@lincolnshireil.gov by 5:00 p.m. on Tuesday, August 11, 2020. You may also submit a letter by dropping it off in the Village Hall vestibule or mailing it to 1 Old Half Day Road, Lincolnshire, IL 60069 via the United States Postal Service. For members of the public submitting comment via email or letter, the written notice must be:

Typed or written legibly.
Inclusive of the commenter's name, organization/agency being represented, address (street, city, state), phone number, and the topic or agenda item number the commenter is addressing.

Free of any abusive or obscene language.

- o Comments received before the meeting will be read/played concurrent with respective agenda item.
- o Participants who register to participate in the GoTo-Meeting web conference will be given an opportunity to present public comment, evidence, or testimony during the Public Hearing. Participants who wish to submit documents as evidence must submit such documents by mail or email to VOLPublicComment@lincolnshireil.gov no later than 5:00 p.m. two (2) days prior to the date of the Public Hearing.

/s/ Brian Bichkoff, Chair
Zoning Board
Village of Lincolnshire
07/23/2020

Published in Daily Herald July 25, 2020 4549093

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of

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Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills,
Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn,
East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake,
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Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow,
St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills,
Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood,
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and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 07/25/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Danula Baltz*
Authorized Agent

Control # 4549093

Sponsored by **Marler Clark**

Food Safety News



Almost 100 sick in Salmonella outbreak linked to backyard poultry flocks

By News Desk on May 21, 2020

The Centers for Disease Control and Prevention is currently investigating an outbreak of Salmonella Hadar reported in 28 states. There has been a total of 97 people infected with the outbreak strain.

Seventeen people – representing more than a third of those with information available – have been hospitalized. No deaths have been reported, according to the CDC’s outbreak notice.

Thirty percent of the people infected with the strain are children younger than 5 years of age.

Epidemiologic evidence shows that contact with backyard poultry, such as chicks and ducklings, is the likely source of this outbreak. In interviews with patients, 86 percent reported

69

contact with chicks and ducklings. The infected people reported obtaining chicks and ducklings from several sources, including agricultural stores, websites and hatcheries.



Numbers at a glance:

- Reported Cases: 97
- States: 28
- Hospitalizations: 17
- Deaths: 0

Backyard poultry can carry Salmonella germs that can make people sick, even when the birds look healthy and clean. Backyard flock owners should always follow steps to stay healthy around their poultry.

2019 Outbreak

This outbreak is similar to a deadly cluster of outbreaks from this past year. The CDC concluded an investigation in October, 2019. The 13 multistate outbreaks of Salmonella infections were linked to contact with backyard poultry. These investigations found that the outbreaks in 2019 represent the largest recorded number of people in a single year to become sick with Salmonella after contact with backyard poultry.

There were 1,134 people infected with the outbreak strains of Salmonella. They were from 49 states and the District of Columbia. Of the 740 people with information available, 219, or 30

percent, were hospitalized. Two deaths were reported, one from Texas and one from Ohio. Of the 988 ill people with information available, 212, or 21 percent, were children younger than 5 years old. In interviews, 392, or 63 percent, of 619 ill people reported contact with chicks or ducklings.

2019 numbers at a glance:

- Reported Cases: 1134
- States: 49
- Hospitalizations: 219
- Deaths: 2

CDC safety advice for backyard flock owners

People can get sick with Salmonella infections from touching backyard poultry, their feed, and the places where they live and roam. Backyard poultry can carry Salmonella germs but look healthy and clean and show no signs of illness.

- Wash your hands.
 - Always wash your hands with soap and water right after touching backyard poultry or anything in the area where they live and roam.
 - Adults should supervise handwashing by young children.
 - Use an alcohol-based hand sanitizer with at least 60 percent alcohol if soap and water are not readily available. Consider storing hand sanitizer at your coop.
- Poultry belongs outside.
 - Don't let backyard poultry inside the house, especially in areas where food or drink is prepared, served, or stored.
 - Set aside a pair of shoes to wear while taking care of poultry and keep those shoes outside of the house.
 - Stay outdoors when cleaning any equipment or materials used to raise or care for poultry, such as cages, or feed or water containers.
- Handle birds safely.
 - Do not let children younger than 5 years of age handle or touch chicks, ducklings, or other live poultry without supervision. Children younger than 5 years of age are

more likely to get sick from exposure to germs like Salmonella. Don't eat or drink where poultry lives or roam.

- Don't kiss backyard poultry or snuggle them and then touch your face or mouth.

About Salmonella infections

Food contaminated with Salmonella bacteria does not usually look, smell, or taste spoiled. Anyone can become sick with a Salmonella infection. Infants, children, seniors, and people with weakened immune systems are at higher risk of serious illness because their immune systems are fragile, according to the CDC.

Anyone who has eaten any of the recalled eggs and developed symptoms of Salmonella infection should seek medical attention. Sick people should tell their doctors about the possible exposure to Salmonella bacteria because special tests are necessary to diagnose salmonellosis. Salmonella infection symptoms can mimic other illnesses, frequently leading to misdiagnosis.

Symptoms of Salmonella infection can include diarrhea, abdominal cramps, and fever within 12 to 72 hours after eating contaminated food. Otherwise, healthy adults are usually sick for four to seven days. In some cases, however, diarrhea may be so severe that patients require hospitalization.

Older adults, children, pregnant women, and people with weakened immune systems, such as cancer patients, are more likely to develop a severe illness and serious, sometimes life-threatening conditions.

(To sign up for a free subscription to Food Safety News, [click here.](#))

Food Safety News

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**SUNDAY
BREAKFAST**
The Andrew Mister:
Wilmette's Phil Andrew
talks survival, swimming,
and fatherhood. P30

The North Shore

Weekend



LIFESTYLE & ARTS
Weekender P22

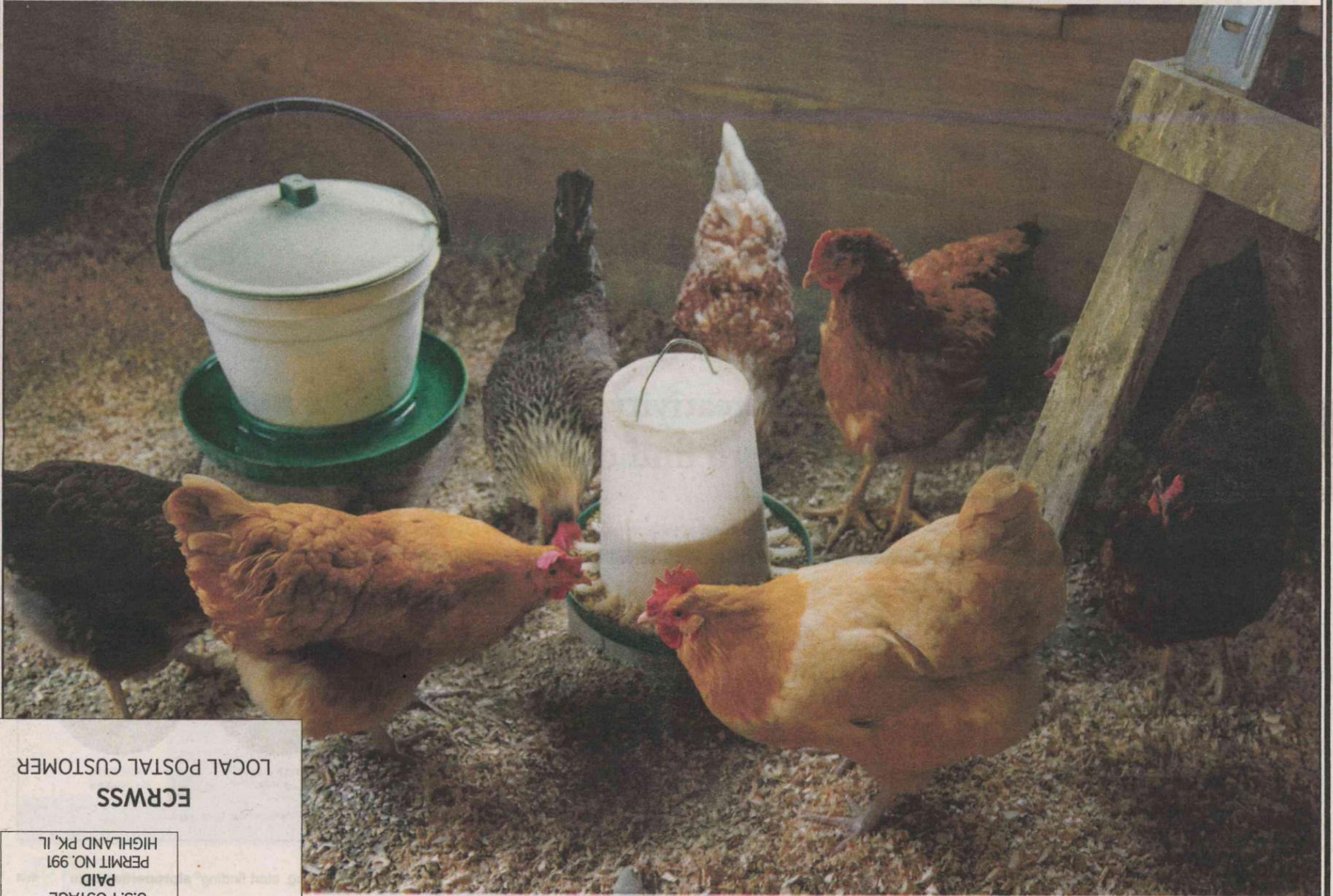
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FOLLOW US:

FLY THE COOP

LONG BEFORE COVID-19 HAD PEOPLE THINKING TWICE ABOUT WHERE THEY GOT THEIR FOOD, THE BACKYARD CHICKEN TREND HAD ALREADY LANDED ON THE NORTH SHORE.



Backyard chicken coops are a trend that's here to stay. PHOTOGRAPHY BY MONICA KASS ROGERS

Story on Page 10

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BY MONICA KASS ROGERS
THE NORTH SHORE WEEKEND

Since 2018, the North Shore has gone chicken crazy, with big fat hens popping up on real estate billboards and in backyards from Highland Park to Lake Bluff.

The trend is not only here to stay but has been further amplified by the COVID-19 pandemic. With more people at home to tend the “coop” and an egg shortage in some communities around the nation, backyards are going to the birds.

Garnering in excess of 175 million mass media impressions, a chicken-centered campaign from local realtor Baird & Warner when the trend ramped up more than a year ago was designed to communicate that the realty company really “gets” what homebuyers want these days: including that backyard chicken coop.

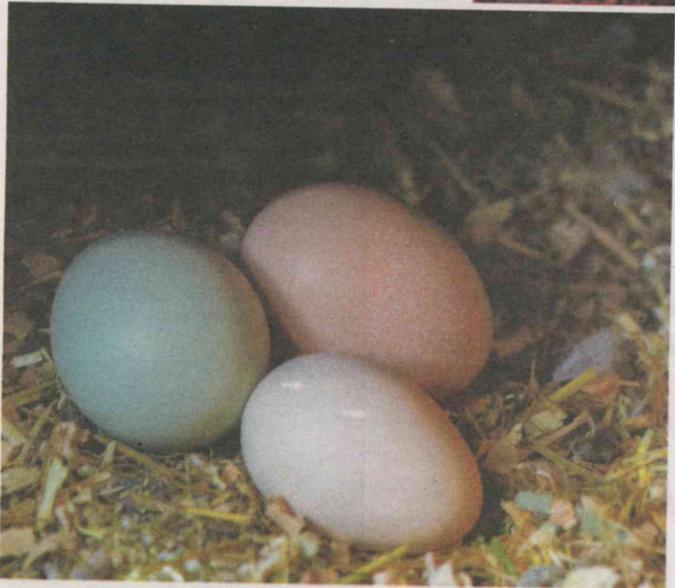
“The whole premise revolved around trends we see in the marketplace, with some of the most fun being vinyl, chicken coops, and yoga rooms,” says Peter Papakyriacou, senior vice president of marketing and communications at Baird & Warner. “It’s all about finding that perfect home for people; that’s something an app or technology alone can’t do for them. And that’s the name of our campaign: ‘We get you.’”

“They certainly get me,” laughs Matt Hendrick, who bought a home in Lake Bluff with his wife, Greer, two years ago partly because the village is one of the few on the North Shore to allow chickens. Deerfield began issuing chicken permits in 2013 and Highland Park got on board last May with an ordinance that allows single family homeowners to set up coops in their backyard.

Relocating to the Chicago area from Colorado, Hendrick says the couple narrowed their home-buying search to chicken-friendly communities.



Matt Hendrick of Lake Bluff says he and his family enjoy having a chicken coop because the eggs are always fresh and organic. PHOTOGRAPHY BY MONICA KASS ROGERS



“Greer is into organic, locally-grown, sustainable food, and likes the fact that raising our own chickens will provide our family with fresh eggs,” he says. “Beyond that, we just think chickens are beautiful creatures and they have such sweet demeanors. We believe raising them will be a good experience for us, and for our young children.”

That Baird & Warner had enough requests from homeowners interested in raising backyard hens to hang a campaign on it even then, perhaps these home-grown hobby farms are part of our

eggs feed the families that care for them,” she says, explaining that many of her chicken-consultation clients are urban and suburban families who view their backyards as ecosystems working in a natural loop. “It all works together.”

For homeowners like Hendrick preparing for first-time chicken ownership, the initial learning curve includes questions about what kind of coop to build or purchase, how to feed and maintain the chickens, and which breeds to purchase.

To get there, Hendrick read books, visited

“new normal.”

Jennifer Murtoff, owner of Home to Roost LLC (hitchickens.com), the Chicago area’s leading urban chicken consultant owner, says it’s increasingly becoming a lifestyle choice.

“Chickens eat the family’s kitchen scraps, as well as bugs and pests in the yard. Chicken waste enriches the soil and their

websites and talked to chicken owners who had years of experience raising the birds.

“You really do learn a lot by talking to others who have chickens,” says Helen Sheyka, who has been raising chickens in Barrington Hills since 1994. To share what she learned over the years and learn from others’ experiences, Sheyka began hosting a small chicken club.

“We would all get together and bring an egg dish and talk chickens. It really grew fast,” says Sheyka. At last count, the Barrington Chicken Club had more than 100 attendees from around the North Shore and northwest suburbs.

Online groups such as the Chicago Chicken Enthusiasts are also helpful forums for information and connection, and Murtoff does house calls or phone calls as part of her business.

Some of the most important early decisions backyard chicken owners must make revolve around the coop itself. “There are a lot of ready-made ones out there that may look really cute, but turn out to be impractical,” says Nancy Vick, a backyard chicken owner in Evanston. “You need a coop that’s sturdy, well ventilated—but draft free in the winter, and it must be as predator proof as you can make it.”

Keeping chickens safe from predators that

normally live in and around urban environments has been the biggest challenge for most backyard chicken owners. Red tailed hawks, raccoons, mink, foxes—even skunks and dogs will attack unprotected chickens.

To make the coops easier to maintain, Murtoff—who teaches classes on coop and, chicken selection, and basic chicken care at places such as the Morton Arboretum and the Chicago Botanic Garden—recommends building a coop that has a human-sized door and a chicken run tall enough to stand in without stooping.

Selecting bird breeds that do well in Chicago’s cold climate is another important consideration. Konecny says any chickens in the English or American breed categories are good.

To get acclimated to having hens before investing in a permanent coop, some chicken owners, such as Vick have signed on with Urban Chicken Rentals, a company that allows you to rent three hens, a coop, feed, and supplies on a month to month basis.

“It’s like training wheels for chicken ownership,” says Vick. “I learned so much from the rental that helped me make more informed decisions when I was ready to build a coop and get my own hens.”

interacting with pet poultry

By Jen Christensen, CNN

🕒 Updated 10:11 AM ET, Thu June 25, 2020

Salmonella 101: What you need to know 01:09

(CNN) — One person has died and 86 have been put into the hospital in the latest outbreak of salmonella connected to pet poultry, the US Centers for Disease Control and Prevention [reported Wednesday](#).



Related Video: Chickens live large in luxury coops 02:03

The CDC says 368 people have reported getting sick since May 20, bringing this year's total to 465 [poultry-related salmonella cases](#) reported in 42 states. That's about twice as many as were reported at the same time last year, the CDC said.

The CDC says 86 people have been hospitalized. One person in Oklahoma has died from the infection. About a third of those who have gotten sick are young children under the age of 5.

Backyard flocks have become an [increasingly popular hobby](#). People often say they want to raise the birds because they have an interest in knowing where their food comes from, but it's also about more than just fresh eggs. [People say they](#) like the companionship the birds provide, much like a cat or dog would.

The hobby can be fun and educational, but families have to be aware of how to safely manage the animals, [according to the CDC](#). It's a little different than raising a dog or cat.

The CDC sends out regular warnings about the salmonella risks from backyard flocks. There have been more than a dozen outbreaks of illness connected to live poultry since 2011, [according to the agency](#).

Related Article: Salmonella Fast Facts

Chickens and other poultry carry salmonella in their digestive tracks. The harmful bacteria gets into their droppings and onto their eggs and feathers. While it doesn't bother the

chicken, it can give people stomach cramps, diarrhea and other, sometimes serious, symptoms.

The CDC says its best that children don't touch live poultry since children are more likely to get a severe infection. They also suggest people who keep backyard flocks wear a separate pair of shoes to care for the birds and to be sure to take them off before going back into the house. Good hand hygiene is also essential.

Get CNN Health's weekly newsletter

Sign up here to get **The Results Are In with Dr. Sanjay Gupta** every Tuesday from the CNN Health team.

Chickens should be outside animals only and while they may be cute, the CDC says, please "don't kiss or snuggle backyard poultry."

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From: [Nona](#)
To: [Brad Burke](#)
Cc: [Ben Gilbertson](#); [Tonya Zozulya](#)
Subject: Re: caged chickens & zoonotic diseases
Date: Tuesday, April 7, 2020 12:26:52 PM

Dear Brad, thank you for forwarding my email about the potential for zoonotic virus and bacteria spread by allowing the introduction of farm animals to Lincolnshire. It is my hope, especially with the current world situation, the board will make a wise decision and not invite additional possible causes of illness into our community.

I noticed most of the burlap and plastic sheet fencing has finally been removed from the south side of Route 22. Congratulations to your team if they were involved in getting some of these eyesores removed.

Maybe the enforcement team would also be able to get the inoperable commercial style van moved from the southwest corner of Route 22 and Riverwoods Road? It is the first or second house west of Riverwoods Road on Route 22. Van hasn't moved in years. Perhaps I am incorrect, but I believe residential driveways are not permitted to be years long storage space for inoperable vehicles?

At the second house south on Riverwoods Road, (near the same corner), is a permanent multiple waste can display. They are in the driveway, near Riverwoods Road & not adjacent to the house.

Thanks again for your assistance.
sincerely, Nona Novak

On Monday, March 9, 2020, 02:42:46 PM CDT, Brad Burke <bburke@lincolnshireil.gov> wrote:

Dear Ms. Novak,

Thank you for your email and your comments regarding the possible zoning code change to permit backyard chickens in the community.

Your email will be shared with all members of the Zoning Board prior to their March 10, 2020 meeting.

As part of the record of the Zoning Board's consideration of this matter, your comments will also be included in the meeting materials when this matter ultimately comes before the Village Board at a future meeting date.

Thank you a gain for your email and your thoughts regarding the topic of keeping chickens in residential areas. If you have any further questions or concerns, please contact me.

Sincerely,
Brad Burke

Brad Burke
Village Manager
Village of Lincolnshire
Administration

D: 847-913-2335

www.lincolnshireil.gov

From: Nona [mailto:nmsquared@yahoo.com]
Sent: Monday, March 9, 2020 10:50 AM
To: Trustee Grujanac <TrusteeGrujanac@lincolnshireil.gov>; Trustee Leider <Trusteeleider@lincolnshireil.gov>; Trustee Raizin <TrusteeRaizin@lincolnshireil.gov>; Trustee Pantelis <TrusteePantelis@lincolnshireil.gov>; Trustee Hancock <trusteehancock@lincolnshireil.gov>; Trustee Harms Muth <TrusteeHarmsMuth@lincolnshireil.gov>; ebrandt@lincolnshireil.gov; Brad Burke <bbruke@lincolnshireil.gov>
Subject: caged chickens & zoonotic diseases

Dear Mayor Brandt, Board and Brad,

I am unable to find contact information for the zoning committee. Could you please forward this email to them?

With the current increased concern about the spread of viruses, it is disheartening that the board would approve a plan to introduce poultry borne zoonotic disease to the community. Potential disease caused by poultry in cages (not referring to industrial farming) include salmonella, e coli, campylobacter, listeria, histoplasmosis, and others. The effects of these illnesses may be minor on healthy individuals, but like covid 19, the effects can be severe, even life threatening, for anyone with underlying health conditions/older individuals.

These diseases are spread not only by contact, but by breathing in the fungal spores, by rodents/insects attracted to feed and chicken feces, etc. It appears that poultry feces/feed will be allowed within 10' of neighbor's property in the current village proposal.

If the village insists on changing the character of the village and quality of life by allowing caged chickens, could they please include safeguards I have read in rules (for the very few other municipalities) that permit residential farm animals?

1. Permission of surrounding neighbors needed for a cage to be erected & notification that chickens will be allowed 10' from their property. This is particularly important for older neighbors or those with compromised immune systems due to health issues. (cancer, heart disease, auto immune diseases, diabetes, etc.)

2. Unannounced, regular checks by the zoning enforcement team for compliance with rules. Check that coop is in good condition, not deteriorating, feed & water stations cleaned regularly, and particularly that waste products are collected & disposed of properly on a daily basis.

3. Regular veterinary checks of the poultry.

4. Permit view blocking fencing to be erected on the property line in instances where neighbors choose not to view chicken cages, feces, feed bins.

I don't understand why the village does not use social media, the weekly email or newsletter to announce proposed changes & public meetings on issues that will change the character of the village, and are likely to cause property value deterioration. The public notice was printed in the Daily Herald which reaches less than 5% of village residents. Perhaps the village could consider increasing the transparency of their governance?

most sincerely, Nona Novak

From: [Brad Burke](#)
To: [Nancy Slatin](#)
Cc: [Ben Gilbertson](#)
Subject: RE: Chickens in the Shire
Date: Sunday, April 19, 2020 8:16:08 PM

Dear Nancy,

Thanks for your email. Chickens are CURRENTLY not allowed in the Village on residential properties. However, the Zoning Board is currently reviewing this possibility. This matter was discussed by the Village Board initially earlier this year. The topic will be on the agenda at the next permitted in-person Zoning Board meeting. At this time, meetings are being held via-teleconference, and the issue of backyard chickens has garnered a lot of interest. It will be best to host the topic at a time when we are permitted to meet in a formal public meeting setting.

I hope you and your family are healthy and safe during this time. Please let me know if you have any questions.

Thanks,
Brad

Brad Burke
Village Manager
Village of Lincolnshire
Administration

D: 847-913-2335
www.lincolnshireil.gov

NOTICE: Village Hall is closed to the walk-in public and Village staff are working from home until further notice. We will continue to provide high-level public service to the Lincolnshire community. The best way to reach any staff member is by email. Please continue to check the Village's website for COVID-19 updates. Thank you for your patience and we apologize for any inconvenience.

-----Original Message-----

From: Nancy Slatin [<mailto:nancy@slatinassociates.com>]
Sent: Sunday, April 19, 2020 7:35 PM
To: Brad Burke <bbruke@lincolnshireil.gov>
Subject: Chickens in the Shire

Hi Brad

Could we raise a few chickens in the back of our property? Not sure of the local rules.

Thanks,

Nancy

Sent from my iPhone

Ben Gilbertson

From: Ben Gilbertson
Sent: Tuesday, May 26, 2020 9:43 AM
To: Brad Burke
Subject: RE: Update

Brad,

Per the guidance from Ancel Glink, I don't anticipate having any non-essential public hearings (i.e., any staff-driven items) before we reach Phase 4 of the Restore Illinois Plan so as to allow groups of up to 50 people. There's a higher threshold for public hearings in terms of communication, participation, and questioning, which isn't conducive to a virtual setting. I'd recommend we also align the timing of any in-person advisory board meetings those of in-person Village Board meetings. Perhaps we're ready for in-person meetings by July, but we'll take our cues from the state and public health officials.

Ben

From: Brad Burke
Sent: Tuesday, May 26, 2020 9:15 AM
To: Ben Gilbertson <bgilbertson@lincolnshireil.gov>
Subject: FW: Update

Ben,

Please see email string below. Do you have thoughts on when this might come before ZB?

Thanks,
Brad

Brad Burke
Village Manager
Village of Lincolnshire
Administration

D: 847-913-2335
www.lincolnshireil.gov

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From: Diane Prazenka [<mailto:dianeprazenka@gmail.com>]
Sent: Monday, May 25, 2020 5:26 PM
To: Brad Burke <bburke@lincolnshireil.gov>
Subject: Re: Update

Waiting for in person meeting effectively rules it out for this summer at a minimum. Why can't their be an online zoom option?

On Mon, May 25, 2020, 5:22 PM Brad Burke <bburke@lincolnshireil.gov> wrote:

Dear Ms. Prazenka,

Thank you for your email. The matter of backyard chickens was referred to the Lincolnshire Zoning Board for review. The Zoning Board is charged with considering the topic and forwarding a recommendation to the Village Board. The date for the Zoning Board to take up this matter has not been set. Given the interest in this topic, staff was holding off on scheduling the debate until a time when the public could attend meetings in person. You can keep up to date on upcoming meetings by visiting the [agenda page](#) on the Village website or see the meetings on the schedule for the coming week by signing up the weekly [Lincolnshire E-Newsletter](#) which is sent to your inbox each Friday.

Hopefully this responds to your inquiry. Please contact me if you have any questions.

Thanks,

Brad

Brad Burke

Village Manager

Village of Lincolnshire

Administration

D: 847-913-2335

www.lincolnshireil.gov

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From: Trustee Grujanac

Sent: Thursday, May 21, 2020 12:53 PM

To: Diane Prazenka <dianeprazenka@gmail.com>

Cc: Brad Burke <bburke@lincolnshireil.gov>

Subject: Re: Update

Good afternoon,

We did not talk about allowing chickens in Lincolnshire at the last village board meeting. I believe this is being discussed in committee. I have copied Brad Burke, Village Manager, for clarification.

Thank you for reaching out,

Mara

On May 20, 2020, at 10:39 AM, Diane Prazenka <dianeprazenka@gmail.com> wrote:

Good Morning!

I was wondering if there was discussion about allowing chickens in Lincolnshire at the most recent meeting?

Thank you

Diane Cloonan

Seasonal/Accessory Structures, Beekeeping, and Chicken Keeping

Zoning Board – August 11, 2020



VILLAGE OF
LINCOLNSHIRE



Background

- Seasonal / accessory structures
 - Code clarification needed to prevent hoop houses, high tunnels, etc. from being erected
- Backyard chickens and beekeeping
 - Resident / business interest
 - Lincolnshire zoning regulations
 - Neighboring communities

Seasonal Structures

- Village Code Section 6-2-2
 - Seasonal structure = “Accessory Structure located on residential property used for temporary seasonal use, including but not limited to, shade structures, and temporary ice rinks”
 - Temporary season-extending growing structures clarification needed



Hoop House





High Tunnel





March 10, 2020

Zoning Board Consensus

- Add language to Village Code to prohibit hoop houses, high tunnels, and similar temporary season-extending growing structures
- Green houses already permitted and wouldn't be affected



Beekeeping

- Marriott Resort boasts bee hives. Honey used in food and beverage products.
- Not permitted in any zoning district (Marriott zoned B2 SU)
- Requires text amendment to Village code and amendment to Marriott SU



VILLAGE OF LINCOLNSHIRE





VILLAGE OF LINCOLNSHIRE





March 10, 2020

Zoning Board Consensus

- B2, accessory SU
- Permitted on properties ≥ 100 acres
- $\geq 10'$ from side and rear property lines
- $\geq 10'$ from sidewalks, paths, residences
- Maximum 12 hives, no taller than 5'
- Potential PUD for use flexibility



Backyard Chickens

- Village Code Section 11-13-4
 - Prohibits “any... place for the keeping or harboring of...chickens ...or similar animals or fowl, or to keep...any such animals or fowl upon any residential lot within the Village.”
- F1 zoning allows “poultry farms”
 - No properties zoned F1



Neighboring Communities

- Prohibited in:
 - Buffalo Grove, Des Plaines, Glenview, Lake Forest, Mount Prospect, Niles, Park Ridge, Rolling Meadows, Schaumburg, Streamwood, Wheeling, Winnetka
- Permitted in:
 - Grayslake, Deerfield, Highland Park, Lake Bluff



Pilot Program Parameters

- One year timeframe
- Max. number of permits = 5
- No. of hens = min. 2, max. 4
- Minimum lot size = 20,000 sq. ft.
- Permitted only for single-family residences
- Village-issued permit required
- Registration with IDOA Livestock Premises required



Pilot Program Parameters

- 12 month permit, annual renewal required. If not renewed, 30 days to remove all fowl and facilities.
- Registration with IDOA Livestock Premises (communication w/ State in the event of an outbreak)
- Applicants share copy of application with abutting property owners
- Sketch of proposed coop location required



Coop Requirements

- Village permit and inspection required before construction
- Predator and extreme weather-proof
- No taller than 7'
- Minimum floor area = 24 sq. ft.
- Maximum floor area = 60 sq. ft.
- Clean and sanitary at all times
- Feed kept in rodent-proof container
- Material storage prohibited



Coop Requirements

- Materials and color match principal structure (or similar)
- Rear yard, not within utility easement
- Minimum 10' from neighboring property lines and not within established setbacks
- Within 10' from principal structure
 - Storage structures = within 5' of principal structure

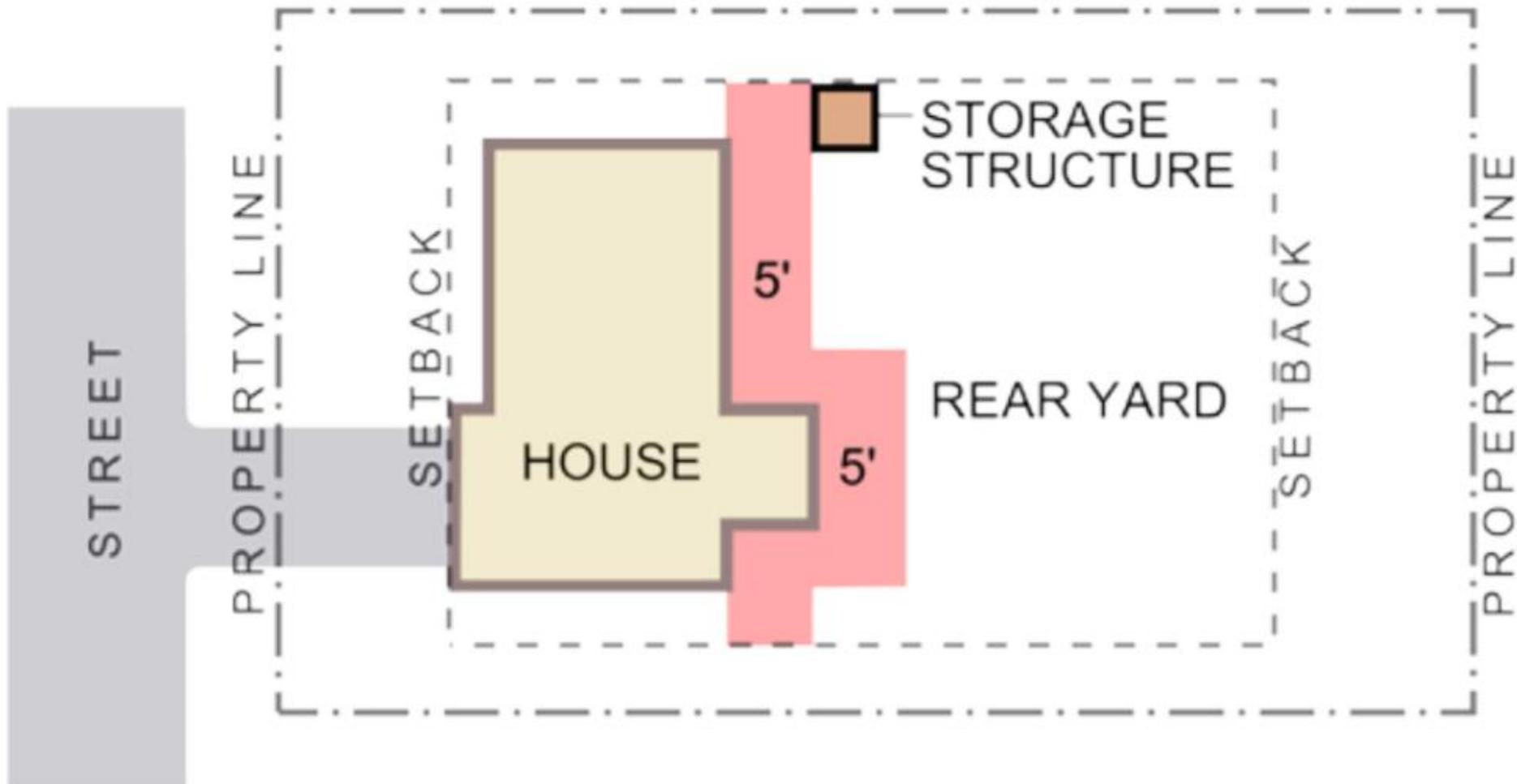


Coop Requirements

- Coop location informed by requirements for storage structures
- Preserve sense of “openness”
- Fence or landscape screening not recommended



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Nuisance Restrictions

- Nuisances regarding odor, litter, droppings, other waste, and the like are prohibited
- Hens confined to coop or enclosed run at all times
- Roosters, sale of eggs, and slaughtering prohibited



Property Values Impact

- Three real estate professionals – no indication of positive or negative impact
- Illinois Realtors Association does not have an official position
- Property values subject to property upkeep



Health Considerations

- CDC and Lincolnshire Animal Hospital consulted
- Salmonella and E. coli commonly associated
- Bird/avian flu is rarely to humans
- Hand washing + separate shoes + washing eggs + avoiding direct contact = good practices



Direction Requested –

- Maximum number of accessory structures
 - Currently capped at two (VB: cap at one if chicken coop)
- Exception for play structures
 - Currently can have two of the same (not allowed for any other type of accessory structure) (VB: remove exception)



Discussion

ITEM SUMMARY

Reviewing Body / Meeting Date:	Zoning Board – August 11, 2020
Subject:	Massage Businesses
Action Requested (Address – Petitioner):	Public Hearing regarding Text Amendments to Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code to Define and Regulate Massage Businesses as Special Accessory Uses (Village of Lincolnshire)
Prepared By:	Ben Gilbertson – Assistant Village Manager/Community & Economic Development Director
Staff Recommendation:	Favorable recommendation to the Village Board.
Meeting History:	Committee of the Whole – February 10, 2020 Zoning Board – March 10, 2020 (public hearing not opened)
Tentative Meeting Schedule:	Committee of the Whole – September 14, 2020 Regular Village Board – September 29, 2020
Reports and Documents Attached:	<ol style="list-style-type: none">1) Draft ordinance, prepared by the Village Attorney and staff2) Redlined versions of Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of Title 6 (Zoning) of the Lincolnshire Village Code3) Findings of fact, prepared by the Village Attorney and staff4) Certificate of publication for the public hearing notice in the February 24 edition of the <i>Daily Herald</i>5) Certificate of publication for the public hearing notice in the July 25, 2020 edition of the <i>Daily Herald</i>

Background

Principal use massage therapy establishments, or massage parlors, have been associated with illegal solicitation, prostitution, and human trafficking. Throughout the metropolitan Chicago region in 2019 and 2020, several news stories have highlighted similar offenses, with local governments often lacking stringent ordinances to deter massage parlors as primary business uses (as distinguished from massage therapy offered by physician’s offices and day spas – see page 2 for further information). For communities that permit stand-alone massage parlors, officials are often challenged by revoking a business license, only to receive a petition for a similar business shortly thereafter under a different business owner.

State Law, Village Code Regulations, and Staff Recommendation

Fortunately, Lincolnshire has not had issues with massage therapy establishments promoting illicit activity. There are currently no massage-only businesses operating in the Village. Furthermore, Lincolnshire does not have a business licensing program in place, and all licensing authority for massage therapists is held with the State of Illinois (225 ILCS 57/55). The unlicensed practice of massage is a civil penalty with a fine of up to \$10,000. Furthermore, State law prohibits the advertising of massage services unless the person providing the service is a licensee. The first violation of the Massage Licensing Act is a Class A misdemeanor and subsequent violations are Class 4 felonies.

Pursuant to State statute, Lincolnshire cannot regulate massage licensing; however, the Village does have the power to exercise zoning authority over the location of massage therapy businesses. In consultation with the Village Attorney, staff recommends massage therapists operate only as an accessory use to a day

spa or a physician's office – not as a principal use. To assure the Village can enforce this limitation, text amendments to Title 6 (Zoning) of the Lincolnshire Village Code ("Village code") are needed. Should the Village require that massage businesses operate only as an accessory use, the code effectively requires the host business to vouch for the legitimacy of the massage therapists.

Day spas with massage services are currently regulated as Special Uses in the B1 (Retail Business), B2 (General Business), and all O/I (Office/Industrial) zoning districts. Physician's offices may offer massage therapy as part of their medical services, and are currently regulated as permitted uses in the B1 (Retail Business), B2 (General Business), E (Small Scale Office), and all O/I (Office/Industrial) zoning districts. Physician's offices are also regulated as special uses within the R5 (Mixed Use General Residence District) zoning district. To better regulate massage therapy in Lincolnshire, staff recommends the following:

- Provide definitions for "massage", "massage business", and "massage therapist" in Title 6 (Zoning), Chapter 2 (Definitions) of the Village code.
- Add specific requirements for "Massage Businesses" in Title 6 (Zoning), Chapter 3 (General Zoning Regulations) of the Village code such that massage businesses may only be permitted as special accessory uses to a principal use in the R5 (Mixed Use General Residence District), B1 (Retail Business), B2 (General Business), E (Small Scale Office), and all O/I (Office/Industrial) zoning districts.
- Require any person seeking to operate an accessory massage business to apply for a Special Use permit, and provide:
 - Written authorization from principal business operator to apply for approval to operate an accessory massage business;
 - The term of any lease or other occupancy arrangement with principal use operator;
 - The number of massage therapy rooms or beds; and
 - The gross square footage area occupied by the massage business, including, without limitation, any reception area, waiting area, office area, and bathroom.
- Capping massage businesses to 25% of the gross floor area of the principal use.
- Requiring the posting of licenses of each massage therapist in a conspicuous area for all guests to view in non-private areas of the business.

While the proposed text amendments would preclude a massage-only business from becoming a principal use in Lincolnshire – either in a stand-alone or multi-tenant facility –, this would not preclude massage businesses from operating as an accessory use in a shared business space.

Findings of Fact

Staff requests the Zoning Board review the responses and determine if each standard has been satisfied prior to recommending approval of the request.

Public Hearing Notice

Public hearing notices were published in the February 24, 2020, and July 25, 2020, editions of the *Daily Herald*.

Staff Recommendation

Staff recommends favorable recommendation of the text amendments.

Approval Process

Village code section 6-14-8 outlines the general application process for text amendment requests. Specifically, a preliminary evaluation is required with the Village Board, which occurred on February 10, 2020. Following preliminary evaluation, a public hearing with the Zoning Board is required before final

consideration and potential approval by the Village Board. A proposed schedule is provided in the Item Summary table on page 1.

Motion

The Zoning Board moves to recommend approval to the Village Board the proposed text amendments to Chapter 2, Zoning Definitions, and Chapter 3, General Zoning Regulations, of Title 6, Zoning, to define and regulate massage businesses as special accessory uses, and further subject to...

**VILLAGE OF LINCOLNSHIRE
LAKE COUNTY, ILLINOIS**

ORDINANCE _____

**AN ORDINANCE AMENDING TITLE 6 (ZONING),
CHAPTERS 2 (ZONING DEFINITIONS) AND 3 (GENERAL ZONING REGULATIONS) OF THE
LINCOLNSHIRE VILLAGE CODE TO DEFINE AND REGULATE MASSAGE BUSINESSES AS
SPECIAL ACCESSORY USES**

WHEREAS, the Village of Lincolnshire (the “Village”) is an Illinois home rule municipal corporation organized and operating under the Constitution and laws of the State of Illinois; and

WHEREAS, the Mayor and Board of Trustees (the "Corporate Authorities") find certain occupations and land uses warrant regulatory oversight because of the unique nature of operations that could harmfully affect the public health, safety, and welfare; and

WHEREAS, the Village has seen massage establishments operating in a manner that is harmful to the public health, safety, and welfare; and

WHEREAS, the Village’s investigations have found that activities harmful to the public health, safety, and welfare, including illegal solicitation and prostitution, overwhelmingly occur at purported principal use massage establishment businesses; and

WHEREAS, these same Village investigations have overwhelmingly found that legitimate massage establishment businesses most often operate as an accessory business to a principal use in shared business space; and

WHEREAS, after due and careful consideration and analysis, the Village has determined that new zoning regulations are appropriate to better regulate massage establishments, protect the reputation of reputable massage therapy providers, and promote the public health, safety, and welfare; and

WHEREAS, the Corporate Authorities referred certain amendments of Title 6 (Zoning), Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) (the “Text Amendments”) of the Lincolnshire Village Code (the “Village Code”) to the Zoning Board for the purpose of regulating the operation of massage therapy establishments, attached hereto as Exhibit B; and

WHEREAS, a public hearing on the Text Amendments was duly publicized on February 24, 2020, and July 25, 2020, in the *Daily Herald* and was held by the Zoning Board on August 11, 2020, on which date the Zoning Board voted in favor of recommending approval of the Text Amendments.

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 1. Recitals; Findings. The preamble to this Ordinance expresses the Village's purpose and intent for enacting this amendment to the Village Code and it is the intent of the Mayor and Board of Trustees for this Ordinance to be liberally construed to most effectively accomplish the purposes described above. The Corporate Authorities also hereby adopt the findings of fact attached hereto as Exhibit A in support of the amendments enacted by this Ordinance.

SECTION 2. Text Amendments. Title 6 (Zoning), Chapters 2 (Zoning Definitions) and 3 (General Zoning Regulations) of the Village Code are hereby amended in the manner described in Exhibit B, attached hereto and incorporated as though fully recited herein. The changes are shown as additions described with underlines and deletions described with strikeouts. Language which is omitted from Exhibit B is not intended to be changed.

SECTION 3. Severability. In the event any provision or application of the Village Code enacted by this Ordinance is found to be invalid or unenforceable, it is the intent of the Village Board that all other applications and the remaining provisions shall remain in full force and effect to the extent permitted by law.

SECTION 4. Effective Date. This Ordinance shall become effective following its adoption and approval in the manner provided by law.

SO ORDAINED this _____ day of _____, 2020, at Lincolnshire, Lake County,
Illinois.

AYES:

NAYS:

ABSENT:

APPROVED:

Elizabeth J. Brandt, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

Published by me in pamphlet form

this _____ day of _____, 20 _____.

EXHIBIT A
FINDINGS OF FACT

**EXHIBIT B
TEXT AMENDMENTS**

* * *

**TITLE 6: ZONING
CHAPTER 2: DEFINITIONS**

6-2-2: DEFINITIONS

The following words and terms, wherever they occur in this Zoning Code shall be defined as follows:

MASSAGE

A system of structured palpation or movement of the soft tissue of the body. The system may include, but is not limited to, techniques such as effleurage or stroking and gliding, petrissage or kneading, tapotement or percussion, friction, vibration, compression, and stretching activities as they pertain to massage therapy. These techniques may be applied by a licensed massage therapist with or without the aid of lubricants, salt or herbal preparations, hydromassage, thermal massage, or a massage device that mimics or enhances the actions possible by human hands. The purpose of the practice of massage is to enhance the general health and well-being of the mind and body of the recipient. "Massage" does not include the diagnosis of a specific pathology. "Massage" does not include those acts of physical therapy or therapeutic or corrective measures that are outside the scope of massage therapy practice as defined in this Chapter. Massage does not include the intentional stimulation, manipulation or use of a device applied to a sexual or genital area.

MASSAGE BUSINESS

The premises where a massage therapist engages in or carries on any massage services.

MASSAGE THERAPIST

Any person who, for compensation, engages in the practice of massage as defined herein and provides proof of professional license issued by the State of Illinois authorizing the practice of massage therapy under the Massage Licensing Act (225 ILCS 57/1 et seq.).

* * *

**TITLE 6: ZONING
CHAPTER 3: GENERAL ZONING REGULATIONS**

6-3-5: ACCESSORY STRUCTURES AND USES

No accessory structure or use shall be established, erected, altered or moved onto a lot unless it specifically conforms to the requirements of this Section.

* * *

B. Specific Requirements: The following Accessory Structures and Uses shall be permitted subject to the additional specific regulations set forth below:

Massage Business	<u>R1</u>	<u>R2</u>	<u>R2A</u>	<u>R3</u>	<u>R4</u>	<u>R5</u>	<u>B</u>	<u>E</u>	<u>O/I</u>	<u>M</u>
						S	S	S	S	

- Any person seeking to obtain approval under this Chapter to operate an accessory massage business must, in addition to the special use application, provide the following minimum information: (a) written authorization from principal business operator to apply for approval to operate an accessory massage business; (b) the term of any lease or other occupancy arrangement with principal use operator; (c) the number of massage therapy rooms or beds; and (d) the gross area occupied by the massage business.

including, without limitation, any reception area, waiting area, office area, and bathroom.

- No massage business shall occupy more than 25% of the gross floor area of the principal use, including, without limitation, any reception area, waiting area, office area, and bathroom.
- Parking: Off-street parking shall be required at the same rate required for a day spa.
- The license of each massage therapist engaged in providing massage services shall be conspicuously posted so that an invitee or guest can view the license from non-private areas of the business.

TITLE 6: ZONING
CHAPTER 2: DEFINITIONS

SECTION:

6-2-1: Rules of Word Construction
6-2-2: Definitions

6-2-1: RULES OF WORD CONSTRUCTION

The language set forth in the text of this Zoning Code shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural and the plural the singular;
- B. The present tense includes the past and future tenses, and the future the present;
- C. The word "shall" is mandatory, while the word "may" is permissive;
- D. The masculine gender includes the feminine and neuter;
- E. Whenever a word or term defined hereinafter appears in the text of this Zoning Code, its meaning shall be construed as set forth in the definition thereof; and any word appearing in parenthesis, between a word and its definition herein, shall be construed in the same sense as that word;
- F. All measured distances, expressed in feet, shall be to the nearest integral foot; if a fraction is one-half foot ($\frac{1}{2}$ ') or more, the integral foot next above shall be taken;
- G. Words contained in this Code and not defined hereinafter shall assume definitions as set forth in Merriam-Webster's dictionary (website edition; www.merriam-webster.com);
- H. Unless otherwise specified, all distances shall be measured horizontally.
- I. Graphic illustrations are used herein to demonstrate the intent of the definition language. In any case of conflict between a graphic illustration and the text definition, the text shall prevail.

6-2-2: DEFINITIONS

The following words and terms, wherever they occur in this Zoning Code shall be defined as follows:

ACCESSORY STRUCTURE

A structure detached from the Principal Structure located on the same lot and customarily incidental and subordinate to a principal building or use, in terms of size, area, extent or purpose.

ACCESSORY USE

A use of land, structure or a portion thereof customarily incidental and subordinate to the principal use of the land or building, in terms of intensity or purpose, and located on the same lot with the principal use.

ADVERTISING DEVICE

Any advertising sign, billboard, or poster panel which directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such sign is located or to which it is affixed; but does not include those advertising signs, billboards, or poster panels which direct attention to the business on the premises or

to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

ADJACENT

Lying near or in the immediate vicinity.

ADJOINING

Touching or contiguous to; or to be in the neighborhood or vicinity of.

**ADULT-USE CANNABIS
BUSINESS ESTABLISHMENT**

A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization, all as defined in Section 1-10 of the Cannabis Regulation and Tax Act, 410 ILCS 705/1-10, but not including a medical cannabis cultivation center or a medical cannabis dispensary organization.

AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Included are truck-farming, growing of nursery stock, raising of fruit and berries, bee-keeping, and the retail sale of products grown or raised on the premises through one growing season.

Agriculture shall not include the commercial feeding of garbage or offal to swine or other animals or operating for the disposal of garbage, sewerage, rubbish, or offal. Also, excluded from agriculture are mechanized industrial animal farms, commercially operated greenhouses, commercial milk farms, and commercial dog kennels.

The land area (farm) necessary to constitute an agricultural use is five (5) acres.

AIRCRAFT

A contrivance, now known or hereafter invented, for use in or designed for navigation of or flight in the air.

AIRPORT

Any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other air-port facilities or rights of way, including all necessary taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings and open spaces.

**AIRPORT (LANDING STRIP
HELIPORT or HELISTOP)**

Any premises which are used, or intended, for use, or for the landing and take-off of aircraft; and any appurtenant areas which are used or intended for use as airport buildings or other airport structures or rights of way, together with all airport buildings and structures located thereon.

ALLEY

A right of way, with a width not exceeding twenty four feet (24') which affords a secondary means of access to abutting property.

ALTERATION

Any change in size, shape, character, occupancy, or use of a building or structure.

AMENDMENT

Any addition to, deletion from, or change, including text and/or map.

ANIMAL CLINIC/HOSPITAL	An establishment for the diagnosis and medical and surgical treatment of small domestic animals by persons qualified and authorized by appropriate licensing to treat injuries, illnesses and diseases of animals. All activity associated with animal clinics/hospital operations shall be conducted within a completely enclosed building.
ANIMAL HOSPITAL	A structure where animals or pets are given medical or surgical treatment. Use as a kennel, or for other boarding purposes, shall be limited to short-time and fully enclosed boarding and shall only be incidental to such hospital use. Also a "veterinary clinic".
ANTENNA	Any device or array that transmits and/or receives electromagnetic signals for voice, data or video communication purposes including, but not limited to, television, AM/FM radio, microwave, cellular telephone, personal wireless services and similar forms of communications.
APARTMENT	One or more rooms in a multi-family dwelling arranged, intended or designed as living quarters for an individual, group of individuals, or a family.
ASSEMBLY USE	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.
ATTIC	The space between the ceiling beams of a top habitable story and the roof rafters.
AUTOMOBILE LAUNDRY	A building or portion thereof containing facilities for (Car Wash) washing motor vehicles, using automatic production-line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, and equipment for the hand washing of autos, whether by the customer or the operator.
AUTOMOBILE REPAIR FACILITY	The general repair, including engine rebuilding or reconditioning, of motor vehicles; collision service such as body, frame and fender straightening and repair, and painting of motor vehicles.
AUTOMOBILE SERVICE FACILITY	Any building or premises used for the sale and installation of tires, batteries and other minor accessories and services for automobiles, but not including Automotive Repair Facility services; and may include washing of automobiles where no production line methods are employed. When the dispensing, sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage.
AUXILLARY USE	Retail and/or service use within the Office/Industrial (O/I) Districts, incidental to and to service the principal use for the convenience of the

employees.

AWNING

A roof-like cover, temporary in nature, which projects from the wall of a building and which may overhang the public way.

BASEMENT (CELLAR)

The portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

BASEMENT, ENGLISH

The portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground and which is finished for living space.

BERM

A hill of land that acts as a visual barrier between a lot and adjacent properties, alleys or streets.

BLOCK

A tract of land bounded by streets, or by a combination of one or more streets and public parks, cemeteries, railroad rights of way, bulkhead lines or shore lines of waterways, or corporate boundary lines.

BREWERY

A business which holds a Class 3, 10 or 11 manufacturer's license and/or a brewer warehouse permit from the State of Illinois.

BUILDABLE AREA

The area of the lot remaining after the minimum open space and/or yard requirements of this Code have been complied with.

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/COMPLETELY ENCLOSED

A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

BUILDING/DETACHED

A principal building surrounded by open space on the same lot. (Ord. 86-885-22)

BUILDING HEIGHT

The vertical distance from the established grade to the highest point of the roof of a building or the highest point of the roof including rooftop equipment screens, but excluding residential chimneys. The established grade shall be determined by taking the mean elevation of the finished lot grade at the front of the building. In residential districts, the established grade for any new dwelling units associated with the replacement or reconstruction, for any reason, of a previous dwelling unit shall be determined by taking the mean elevation of the lot grade at the front of the proposed building, prior to any new site grading. Established grade for development of a previously-vacant lot shall be determined by reference to the mean existing grade at the front yard setback line. (Amd. Ord. 04-1934-50, eff. 11/8/04)

BUILDING/RESIDENTIAL

A principal building arranged, designed, used or intended to be used for residential occupancy by one or more families.

BUILDING SIDE SETBACK PLANE	Defines the planes within which, except for permitted encroachments, all portions of a building must remain. The planes begin at specific points directly above the established grade at the side lot lines and run at a 45 degree angle toward the interior of the lot until they reach the maximum building height permitted on the lot. (Amd. Ord. 04-1934-50, eff. 11/8/04)
BUILDING/TEMPORARY	A building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed.
BULK	A composite characteristic of a given building or structure as located upon a given lot-not definable as a single quantity but involving all of these characteristics: <ul style="list-style-type: none"> A. Size and height of building or structure. B. Location of exterior walls at levels in relation to lot lines, streets, or to other buildings or structures. C. Floor area ratio. D. All open spaces allocated to the building or structure. E. Amount of lot area provided per dwelling unit.
BUSINESS	An occupation, employment or enterprise which occupies time, attention, labor, and materials, or wherein merchandise is exhibited, bought or sold, or where services are offered for compensation.
CANOPY	A roof-like structure projecting from a wall and supported in whole or in part by vertical supports from the ground, and erected primarily to provide shelter from the weather.
CARGO or FREIGHT TERMINAL	A building or premises in which cargo or freight is received or dispatched.
CARPORT	An open sided (on at least 2 sides), roofed automobile shelter, usually formed by extension of the roof from the side of a building.
CATERING ESTABLISHMENT	An establishment for commercial on-site food preparation specifically for off-site delivery and consumption of food.
CEMETERY	A permanent or semi-permanent burial place or receptacle for human remains, regardless of whether the remains are composed of the whole body or parts thereof and irrespective of the vessel in which the remains are held, encased or entombed. For illustrative purposes only, and not intended to be an exhaustive list, Cemetery includes a catacomb, cinerarium, columbarium, crypt, mausoleum, ossuary, sepulcher, sepulture, tomb, or vault. (Ord. 08-3070-53)
CERTIFICATE, OCCUPANCY	The written approval of the Zoning Administrator certifying that the building or structure, as constructed, conforms to the applicant's approved plans and drawings as authorized through the zoning certificate and is ready for occupancy.
CERTIFICATE, ZONING	The written approval of the Zoning Administrator certifying that the applicant's plans and drawings comply with all applicable provisions of

this Code. The "zoning certificate" may consist of a standardized independent form bearing the signature of the Zoning Administrator or it may be represented as a part of the building permit application.

CERTIFICATE OF ZONING COMPLIANCE

The written confirmation certifying compliance with the regulations set forth in Title 6, Zoning, including but not limited to any decisions, conditions or special requirements for any use or occupancy of a parcel of land.

CHILD DAY CARE CENTER

An institution or place in which are received three (3) or more children, not of common parentage, apart from their parents or guardian, for part or all of a day but not later than nine o'clock (9:00) P.M. This term includes but is not limited to nursery schools, child care centers, and day nurseries.

COMMON OPEN SPACE

Land or water unoccupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Common open space may contain walks, patios, and structures for recreational use. Area used for individual open space, such as private courtyards, and not available to all residents of the planned unit development shall not be included as common open space. (Ord. 86-885-22)

COMMUNICATIONS SUPPORT BUILDING

A structure for the protection and security of communications equipment associated with one or more antennas, where access to equipment is gained from the interior of the structure.

COMMUNICATIONS SUPPORT CABINETS

A casing or console used for the protection and security of communications equipment associated with one or more antennas, where direct access is provided from the exterior.

COMMUNITY RESIDENTIAL HOME

A dwelling unit owned or leased and operated to provide a living environment for twelve (12) or fewer unrelated residents who operate as the functional equivalent of a family unit and who receive support services and are under the supervision of a sponsor or support staff due to their developmental, physical or mental disability.

A community residential home shall not be construed to include a medical or nursing facility. A community residential home shall not include a residence which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance abuse or alcohol abuse or for treatment of a communicable disease. (Ord. 90-1182-66)

COMPATIBLE USE

A property, use, or service which is capable of direct association with certain other uses because it is complimentary, congruous, or otherwise non-detrimental.

CONCRETE RECYCLING, STORAGE AND SALES:

The process whereby previously manufactured concrete, without protruding metal bars, is received, stored, segregated, processed and remixed for sale to end markets in the form of raw materials or products.(Ord. 06-2948-40, eff. 8/14/06)

CONFORMING BUILDING or STRUCTURE	Any building or structure which: <ul style="list-style-type: none"> A. Complies with all the regulations of the Zoning Code or of any amendment hereto governing bulk for the zoning district in which such building or structure is located, or, B. Is designed or intended for a conforming use. C. Example: An office building in a Business District.
CONTIGUOUS	In contact, adjoining, or touching another object or item, as distinguished from being adjacent.
CONVALESCENT, NURSING or REST HOME	An establishment for the care of the aged or inform, or a place of rest for those suffering bodily disorders. Such home does not contain convalescent equipment for surgical care or for more than the incidental treatment of disease or injury.
CURB LEVEL	The level of the established curb in front of a building measured at the center of such front. Where no curb elevation has been established, the pavement elevation at the street center line similarly measured, or the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the "curb level".
DAY	As used in this Code, "day" shall mean one calendar day. If a projected day falls on a weekend or holiday, the next following working day or week day shall fulfill requirements.
DAY SPA	An establishment that provides State licensed, professionally administered massage and body treatments. For the purposes of explanation, and not intended to an exhaustive list, day spa services may include body wraps, skin exfoliation, electrolysis, body toning, waxing, aromatherapy, and facial treatments. Full service beauty shops/salons, makeup consultation and applications, manicure and pedicure services, and body tanning may be provided as accessory services to a day spa.(Ord. 09-3103-26, eff. 06/22/09)
DECIBEL	A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".
DETENTION	The temporary on-site restraining of storm water. (Ord. 86-885-22)
DEVELOPMENTAL DISABILITY	A severe or chronic disability of a person which: <ul style="list-style-type: none"> A. Is attributable to a mental or physical impairment or combination of mental and physical impairments. B. is manifested before the person attains age twenty two (22). C. is likely to continue indefinitely. D. Results in substantial functional limitation in three (3) or more of the following areas of major life activity: 1) self-care, 2) receptive and expressive language, 3) learning, 4) mobility, 5) self-direction, 6) capacity for independent living, and 7) economic self sufficiency. E. Reflects the person's need for a combination and sequence of special care, treatment, or other services which are lifelong or of extended duration and are individually planned and coordinated, (Ord. 90-1182-66)

DISTILLERY	A business which holds a Class 1 or Class 9 manufacturer's license and/or a craft distiller tasting permit from the State of Illinois.
DISTRICT	A portion of the corporate area of the Village, within which certain uniform regulations and requirements; or various combinations thereof, apply under the provisions of this Title.
DRIVE-THROUGH RESTAURANT	Any business where food or beverages are sold and delivered to the consumer while the consumer is in an automobile or other motorized vehicle.
DRIVEWAY	A pathway for motor vehicles from a street to a structure used for service purposes or for access to the structure only.
DRINKING ESTABLISHMENT	Establishments primarily engaged in preparing and serving alcoholic beverages for immediate consumption; commonly known as bars, taverns, nightclubs, or drinking place; and may also provide limited food services.
DWELLING	A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multiple-family dwellings, but not including hotels or motels.
DWELLING/ATTACHED	A dwelling which is joined to another dwelling at one or more sides by party walls.
DWELLING/DETACHED	A dwelling which is entirely surrounded by open space on the same lot.
DWELLING/MULTI-FAMILY	A building, or portion thereof, containing three (3) or more dwelling units, originally constructed for said purpose. (Ord. 86-885-22)
DWELLING/SINGLE-FAMILY	A building containing one dwelling unit only and that is occupied by one family as defined in this Title. (Ord. 90-1182-66)
DWELLING/TWO FAMILY	A building containing two (2) dwelling units only, designed for two (2) families to live independently of each other, and that is occupied by not more than two (2) families. (Ord. 86-885-22)
DWELLING UNIT	A group of contiguous rooms which include facilities which are used for living, sleeping, cooking, and eating, constituting all or part of a dwelling or hotel, and arranged, designed or intended for use exclusively as living quarters for one family or a community residential home maintaining a single and separate housekeeping unit, except as provided in Section 6-3-9 of this Zoning Code. (Ord. 90-1182-66)
EDUCATIONAL INSTITUTION	A public, parochial, private or charitable, or nonprofit school, junior college, college or university, trade or business schools, including instructional and recreational uses. An Educational Institution is distinguished from a Tutoring Center by the scale of the facilities, number of students and the style of presenting academic instruction.
EFFICIENCY UNIT	A dwelling unit consisting of one principal room together with

bathroom, kitchen, hallway, closets, and/or dining room alcove directly off the principal room, provided such dining alcove does exceed one hundred twenty five (125) square feet in area. An efficiency unit created after the effective date of this Zoning Code shall contain at least three hundred (300) square feet of floor area.

**ELEEMOSYNARY
INSTITUTION**

A building or group of buildings devoted to and supported by charity.

ESTABLISHMENT, BUSINESS

A place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot. Direct access to each "business establishment" shall be separate and distinct from direct access to any other business establishment, and in no case shall there be access to one such establishment from within another such establishment.

FAMILY

- A. One person, his or her spouse, their offspring, legally adopted children.
- B. Plus not more than six (6) other persons who are foster children or related to said person by blood, marriage or legal adoption such as mother or father, sister or brother, and mother-in-law or father-in-law, except that the total shall not exceed eight (8) unless it consists entirely of persons included under A as listed above. (Ord. 86-885-22)
- C. A family may also be composed of not to exceed three (3) persons not so related, provided that such unrelated persons live in a single dwelling and maintain a common household and a single housekeeping unit, including persons of a community residential home as defined in this Title.

A family includes any domestic servants and not more than one gratuitous guest residing with said family; such servants or guests shall be included in the unrelated persons attained by this definition, and shall not be in addition thereto. (Ord. 90-1182-66)

FARMERS MARKET

A designated area where home-grown or home-made products are sold directly to the public from open or semi-open facilities.

FENCE

A structure, other than a building, which is a barrier and used as a boundary or means of protection or confinement.

FENCE, NATURAL

A fence made of natural growth, such as trees, deciduous shrubs, evergreens, etc.

FENCE, OPEN

A fence, including gates, which contains no greater than 60% opaque materials, as measured horizontally along each foot of the length of the fence facing each yard.

FENCE, SOLID

A fence, including gates, which conceals from view from adjoining properties, streets, or alleys activities conducted behind it.

FLOOD	A temporary increase in normal water level (surface water elevation) that results in water inundating areas adjacent or near to the usual channel or lake.
FLOOD BASE ELEVATION	Six hundred forty five feet (645') above mean sea level which is the elevation of the highest flood on record for the Des Plaines River at Highway 22.
FLOOD-CREST ELEVATION	The elevation equal to the flood-crest level of record designated by the Village Engineer or other governmental official or body having jurisdiction as applicable to the property for which a zoning certificate is being requested.
FLOOD PLAIN AREA	That continuous area adjacent to a stream or stream bed, or any storm water retention area and its tributaries, whose elevation is equal to or lower than the flood-crest elevation including also land less than ten (10) acres in area having an elevation higher than flood-crest elevation and which is surrounded by land in a flood plain area, or land, less than five (5) acres in area, having an elevation equal or higher than flood-crest elevation and bordered on three (3) sides by land in a flood plain area.
FLOOD TABLE LAND	The area up to one thousand feet (1,000') adjacent to the flood plain but which is lower than the flood base elevation. Areas protected by an existing dike or natural ridge are not considered flood table land.
FLOOR AREA (GROSS FLOOR AREA)	For the purpose of determining the floor area ratio, the minimum floor area and conversions of existing structures. The sum of the gross horizontal areas of the several floors of a building, including the English Basement floor but not including a basement floor, measured from the exterior faces of the exterior walls. The "floor area" of a building shall also include elevator shafts and stairwells at each floor; floor space used for mechanical equipment, except equipment, open or enclosed, located on the roof; penthouses; finished attic space having headroom of five feet (5') or more; unfinished garage attic space, with or without flooring, having headroom of five feet (5') or more from the top of the lowest garage ceiling rafters; provided however that porches and any space devoted to accessory off-street parking or loading shall not be included in "floor area, and, in residential zoning districts, the area of a garage shall be included, with the exception that the first 400 square feet of the total garage area shall be excluded. Further, for that portion of any open two-story element, which consists of an interior space which has a clear height of sixteen feet (16') or more from the floor elevation, that floor area shall be counted twice in calculating the floor area ratio. (Amd. Ord. 04-1934-50, eff. 11/8/04)
FLOOR AREA (FOR THE PURPOSE OF DETERMINING OFF-STREET PARKING AND LOADING REQUIREMENTS)	The sum of the gross horizontal area of the several floors of a building or portion thereof, devoted to a use requiring off-street parking or loading as required in this Zoning Code. This area shall exclude such floor areas used for accessory off-street parking and off-street loading facilities and such basement floor areas that are devoted exclusively to uses accessory to the operations of the building. All horizontal

dimensions shall be taken from the exterior faces of the wall.

FLOOR AREA (OF A DWELLING UNIT OR A LODGING ROOM)

The sum of the gross horizontal areas of the room constituting the dwelling unit or lodging room, including closets, baths, utility rooms, hallways when accessible only to the occupants of said dwelling unit or lodging room and not accessible to other occupants of the building or to the general public, and only when such rooms, halls or other areas are an integral part of said dwelling unit or lodging room. Floor area shall be measured from the interior faces of the outer-most walls defining the dwelling unit or lodging room but shall not include any unfinished space or finished space having a headroom of less than five feet (5').

FLOOR AREA (RATIO)

The numerical value obtained by dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.

FOOTCANDLE

A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface. (Ord. 08-3049-32, eff. 08/11/08)

FREE-STANDING ANTENNA POLE

A free-standing monopole-design structure that is constructed solely for the purpose of supporting one or more antennas. This definition does not include towers that require additional support, such as guyed towers or lattice towers.

FRONTAGE

The length of all the property fronting on one side of a street between the two (2) nearest intersecting streets, measured along the line of the street, or if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

FRONTAGE, ZONING LOT

The length of all the property of such zoning lot fronting on street, measured between side lot lines.

GARAGE/PRIVATE

An accessory building or an accessory portion of the principal building, which is intended for and used for storing of privately owned motor vehicles, boats and trailers of the family or families resident upon the premises and in which no business, service, or industry connected directly or indirectly with motor vehicles, boats and trailers is carried on; provided that not more than two-thirds (2/3) of the parking spaces therein may be rented for the storage of motor vehicles, boats and trailers of persons not resident on premises, except that all the parking spaces in a garage of one (1), two (2) or three (3) car capacity may be so rented.

GARAGE/PUBLIC

A building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling, storing, or parking motor-driven vehicles. The term repairing shall not include an automotive body repair shop or the rebuilding, dismantling, or storage of a wrecked or junked vehicle, unless expressly authorized.

GARAGE SALE

The occasional sale of used or surplus household goods, wares and other items of personal property owned by the occupier of the residence on

the premises where such sale is held, or owned collectively by a group of persons including the occupier of the residence on the premises where such sale is held. Also includes sales commonly known as yard sales, basement sales, house sales, yard sales, attic sales, rummage sales, estate sales or other similar occasional sales conducted on an infrequent and unscheduled basis from residentially zoned premises.

GARAGE/STORAGE

A building or premises used for housing of motor vehicles, and where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired or sold, except that fuel, grease, or oil may be dispensed within the building to vehicles stored therein.

GAZEBO

A freestanding roofed Accessory Structure open on all sides, affording shade and rest.

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. (Ord. 08-3049-32, eff. 08/11/08)

GRADE

The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

GRADING

Reshaping natural land contours, using natural land materials such as soil, gravel, sand, black dirt, etc., for the purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property, or to accommodate a building plan by making minor changes in land elevation.

GROSS FLOOR AREA

All the floor area contained within a building or buildings, without exception.

GROUND FLOOR

That level of a building on a sloping or multi-level site which has its floor line at or not more than three feet (3') above exit grade.

GROUND FLOOR AREA

The lot area covered by a building, measured from the exterior faces of exterior walls, but excluding open terraces and carports.

GUEST/PERMANENT

A person who occupies or has the right to occupy, a residence accommodation for a period of thirty (30) days or more.

HEDGE

A row or fence of bushes. (Ord. 86-885-22)

HISTORIC DISTRICT

Any parcel of land, use or structure which has been determined by the Village Board or National Trust to be of historic significance and which is identified as such on a recorded plat, plan or any other appropriate document. (Ord. 87-954-40)

HOME OCCUPATION

An occupation or profession practiced by, a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling; and in connection with which there is no indication from the exterior, that the building is being

utilized in whole or in part for any purpose than that of a dwelling. No commodity is sold upon the premises and no commodity intended for sale or use elsewhere is stored on the premises; no more than one person is employed other than members of the family residing on the premises; and no mechanical or electrical equipment is used except such as is permissible for purely domestic or household purposes. A professional person may use his residence for consultation, emergency treatment, or performance of religious rites. No accessory building shall be used for such home occupation. Home occupations, further, shall not utilize more than twenty five percent (25%) of the total floor area of any one story.

HOSPITAL

A medical institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, and care of individuals suffering from illness, disease, injury, deformity or other abnormal physical condition.

HOTEL or MOTEL

An establishment which is open to transient guests, in contradistinction to a boarding, rooming or lodging house, and is commonly known as a hotel in the community in which it is located; and which provides customary hotel services such as maid services, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service.

IMPERMEABLE SURFACE

A surface which does not allow water to be absorbed so it may percolate into deeper ground. Such surfaces are those constructed of Portland concrete, bituminous concrete, composed stone or gravel, or any other surface that allows little or no water penetration.

IMPERVIOUS SURFACE

Any man-made area that alters the natural surface course for or does not allow for the natural rate of absorption or retention of storm water. Such areas may include, but are not limited by reason of exclusion from the following list of examples, roofs, parking and driveway areas, graveled areas, sidewalks and bike paths, paved recreational areas, swimming pools, porches, decks and patios. (Amd Ord. 07-2973-01B, eff. 1/22/07)

INCOMPATIBLE LAND USE

A non-residential use adjacent to a residential zoning district or a Special Use in a residential zoning district. (Amd. Ord. 12-3233-03, eff. 1/23/12)

LABORATORY

A place devoted to experimental study such as testing and analyzing. Manufacturing of product or products is not to be permitted within this definition.

LANDSCAPE WASTE

All accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as a result of the care of lawns, shrubbery, vines and trees.(Ord. 06-2948-40, eff. 8/14/06)

LIBRARY-PUBLIC

A facility owned and operated by a unit of local government for the collection, storage, use and dissemination of educational and recreational materials in various formats and which provides space for uses that support the efficient and effective operation of a public library system. (Ord. 92-1228-06)

LIVE ENTERTAINMENT	With respect to any restaurant, bar, tavern or other place of public accommodation, any public artistic, musical or dramatic performance which is the principal purpose for the audience to be present, regardless of whether a fee is charged. (Ord. 13-3282-08, eff. 3/11/13)
LOADING BERTH	A space within the principal building or on the same lot as the principal building providing for the standing, loading, or unloading of trucks and with access to a street or alley.
LOT	<p>A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot may consist of any of the following, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Zoning Code:</p> <ul style="list-style-type: none"> A. A single lot of record; B. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record. <p>A lot occupied by, or intended for occupancy by, one principal building or principal use and shall have frontage upon a street as defined by this Zoning Code. Notwithstanding the above requirements, a lot shown on a plat properly recorded in the office of the County Recorder prior to the effective date of this Zoning Code even though not meeting the requirements of this Zoning Code as to width or area may be used as a zoning lot if it complies with conditions as set forth in Section 6-3-3A of this Zoning Code.</p>
LOT AREA, GROSS	The area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by the waters of a duly recorded lake or river.
LOT/CORNER	A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty five degrees (135°).
LOT COVERAGE/BUILDING	The ratio between the ground floor area of all buildings or structures on a lot and the total area of the lot.
LOT COVERAGE/GROSS	The ratio between the ground floor area of all buildings and structures plus all areas used for off-street parking facilities, loading areas, vehicular access ways of driveways, and the total area of the lot.
LOT DEPTH	The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
LOT LINE	A line dividing one lot from another lot or from a street or alley.
LOT LINE/FRONT	A lot line which is a street lot line. Any street lot line of a corner lot may be established by the owner as the front lot line, but once established, shall not be altered.

LOT LINE/REAR	That boundary of a lot which is most distant from and is, or is approximately, parallel to the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten feet (10') in length within the lot, parallel to, and at the maximum distance from, the front lot line.
LOT LINE/SIDE	Any boundary of a lot which is not a front or rear lot line. On a corner lot a side lot line may be a street lot line.
LOT LINE/STREET	A lot line dividing a lot from a street.
LOT/REVERSED CORNER	A corner lot where the street side lot line is substantially a continuation of the front lot line of the first lot to its rear.
LOT/THROUGH	A lot which has a pair of opposite lot lines along two (2) substantially parallel streets, and which is not a corner lot. On a through lot both street lot lines shall be deemed front lot lines.
LOT/WIDTH	The horizontal distance between the side lot lines of a lot, measured at the narrowest width within the first thirty feet (30') of lot depth immediately in back of the required front yard.
LOT, ZONING	A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.
LUMINAIRE	A complete lighting unit, including the lamp, reflectors, globes, lenses, shields, or other components designed to block, diffuse or distribute light. (Ord. 08-3049-32, eff. 08/11/08)
MARQUEE	A roof-like structure of a permanent nature which projects from a wall of a building. (Ord. 86-885-22)

MASSAGE A system of structured palpation or movement of the soft tissue of the body. The system may include, but is not limited to, techniques such as effleurage or stroking and gliding, petrissage or kneading, tapotement or percussion, friction, vibration, compression, and stretching activities as they pertain to massage therapy. These techniques may be applied by a licensed massage therapist with or without the aid of lubricants, salt or herbal preparations, hydromassage, thermal massage, or a massage device that mimics or enhances the actions possible by human hands. The purpose of the practice of massage is to enhance the general health and well-being of the mind and body of the recipient. "Massage" does not include the diagnosis of a specific pathology. "Massage" does not include those acts of physical therapy or therapeutic or corrective measures that are outside the scope of massage therapy practice as defined in this Chapter. Massage does not include the intentional stimulation, manipulation or use of a device applied to a sexual or genital area.

MESSAGE BUSINESS

The premises where a massage therapist engages in or carries on any massage services.

MESSAGE THERAPIST

Any person who, for compensation, engages in the practice of massage as defined herein and provides proof of professional license issued by the State of Illinois authorizing the practice of massage therapy under the Massage Licensing Act (225 ILCS 57/1 et seq.).

MEDICAL CANNABIS CULTIVATION CENTER

A facility operated by an organization or business registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis Dispensary Organizations with usable medical cannabis. No available parcels in the Village of Lincolnshire permit Cultivation Centers to exist due to the separation requirements of the Compassionate Use of Medical Cannabis Program Act (410 ILCS 103/1, et seq.).

MEDICAL CANNABIS DISPENSARY ORGANIZATION

A facility operated by an organization or business registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered Cultivation Center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

MEMORIAL ASSEMBLY FACILITY

A type of cemetery comprising an area and/or structure (i.e. columbarium) intended as a memorial for deceased persons and used for the burial, inurnment or internment of only cremated human remains. For the purpose of this Chapter, an outdoor Memorial Assembly Facility shall include the area and/or structure wherein the cremated human remains are buried, inurned or interned and the adjoining improvements intended for memorials, services or private reflection. (Ord. 08-3070-53)

MEMORIAL GARDEN

An area and/or structure intended as a memorial for deceased persons but which shall not be used as a CEMETERY. (Ord. 08-3070-53)

MENTAL DISABILITY

An individual or group of disorders that cause severe disturbances in thinking, feeling, and relating that can result in a substantially diminished capacity for coping with the ordinary demands of life. (Ord. 90-1162-66)

MOBILE FOOD VENDOR

A mobile vendor that transports and sells food and/or drinks from a designated vehicle or cart, which may include facilities for storage, preparation and cooking of food and/or drinks, for immediate public consumption.

MOBILE SERVICES

A mobile operation providing on-site services, including but not limited to car wash, product pick-up/distribution, and general vehicle maintenance and service, but not including major automotive repair and service.

MOTOR VEHICLE

Any passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.

MULTI-USER BUILDING

An office/industrial building that is occupied, or operated, by two or

more business users or business tenants. (Ord. 09-3106-39, eff. 7/13/09)

**MULTIPLE-FAMILY
STRUCTURE**

A residential structure with more than one dwelling unit with interior common habitable areas. (Amd. Ord. 95-1377-7, eff. 1/9/95)

NO IMPACT

The term “no impact” personal wireless service facility shall be defined as a facility which is:

1. Designed so as to completely conceal all components of the personal wireless service facility within a new or existing structure that is architecturally compatible with its surroundings; including, but not limited to, an antenna behind louvers, or in a false roof on a building, or inside a steeple, clock tower, flagpole (with a maximum diameter of 15 inches), campanile or bell tower; or
2. Camouflaged so as to blend into its surroundings to such an extent that it is no more obtrusive to the casual observer than the structure on which it is (a) placed, such as a rooftop, lighting standard or existing tower; or (b) replacing, such as a school athletic field light standard, or other similar structure.

**NONCONFORMING/USE
STRUCTURE, LOT**

Any Use, Structure or Lot which was lawfully established, either by right or by reason of a variance or special use, and becomes noncompliant with this Title by reason of an amendment to this Title that becomes effective following the attachment of vested rights to such use, structure or lot.

NOXIOUS MATTER

Material which is capable of causing injury or malaise to living organisms by chemical reaction, or is capable of causing detrimental effects upon the health, or the psychological, social, or economic well-being of human beings.

**NURSING HOME
(CONVALESCENT HOME,
SHELTERED CARE HOME)**

An establishment for the care of children or the aged or infirm. Such a home shall not contain equipment for or provide care in maternity cases or for psychotics or other unruly mentally deranged persons nor for surgical or medical cases commonly treated in hospitals.

OCTAVE BAND

A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

ODOROUS MATTER

Any matter or material that yields an odor which is offensive in any way. (Ord. 86-885-22)

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 physician’s office or the production, distribution or sales of goods or commodities which are physically located on the premises.

OPEN SALE LOT

Any open space used or occupied for the purpose of buying and selling merchandise, passenger cars, trucks, commercial trailers, motor scooters, motorcycles, boats and monuments, or for the storing of same

prior to sale. (Ord. 86-885-22)

ORNAMENTAL METAL FENCE	A fence constructed of wrought iron, aluminum or steel materials and designed with horizontal rails and other decorative elements, such as balusters, rings or finials, but which does not contain woven metallic materials in the style typical of chain link or cyclone fences. (Ord. 12-3233-03, eff. 1/23/12)
OUTDOOR STORAGE	The keeping in an unroofed area of any goods, junk, material, merchandise or vehicles in the same place for more than twenty four (24) hours. (Ord. 90-1163-47)
PARKING AREA	One or more parking spaces, and may also include access drives, aisles, ramps, and maneuvering area.
PARKING LOT	An area reserved or used for parking motor vehicles, hauling trailers or trailer-mounted boats on premises on which there is not a principal building.
PARKING SPACE	An accessible area used or intended for use for temporary storage of one motor vehicle, hauling trailer or trailer-mounted boat which parking space may be located in a private or storage garage, or in the open. In this definition, temporary storage shall be further limited to include only the storage of vehicles which are fully capable of legal operation on the public streets. Any other storage of vehicles shall be considered as the storage of goods and shall be prohibited except where specifically permitted by this Zoning Code.
PARTICULATE MATTER	Material which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or solid at atmospheric temperature and pressure.
PARTY WALL	A wall which is common to but divides contiguous buildings. (Ord. 86-885-22)
PERFORMING AND VISUAL ARTS STUDIO	A business that provides instruction in various types of art, which includes, but is not limited to, music, dance, theater, painting, sculpture, photography, and provides performances and/or exhibits for an audience as an accessory use.
PERSON	Any corporation, partnership, individual, or group of individuals, associations, or agent, so that any entity who would be subject to the Zoning Code would be defined as a person. (Ord. 86-885-22)
PERSONAL RECREATION FACILITY	An Accessory Structure intended for the purpose of private recreation activity conducted on a purpose-built court or field, including but not limited to basketball court, tennis court, volleyball court, etc.
PERSONAL WIRELESS SERVICE/PERSONAL WIRELESS SERVICE FACILITIES	A personal wireless service facility shall mean any facility of whatever kind or nature, except a small wireless facility, that receives, transmits or relays radio or microwave signals for cellular, PCS or other similar service. This shall include any installation or mounting structure or equipment and any appurtenant electronics necessary for the operation

of the facility. This definition shall be inclusive of the definition of personal wireless service facility set forth in 47 USC 332(c)(7)(C), as amended now or in the future.

PET DAYCARE

A facility that provides temporary boarding, grooming, training and care for any combination of three (3) or more dogs, cats and other domestic animals. This shall not include breeding or sale of animals or veterinary services customarily offered at an Animal Clinic/Hospital.

PHYSICAL DISABILITY

A disability that may have been caused by a head injury, severe arthritis, stroke, muscular dystrophy, multiple sclerosis, spinal cord injury, and other causes that can substantially limit an individual's capacity to function in society. (Ord. 90-1182-66)

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, clinical social workers, professional counsellors, acupuncturists, chiropractors, massage therapists, naprapaths, optometrists, estheticians, electrologists, occupational and physical therapists, dietitian nutritionists, and similar licensed professionals that does not include overnight care facilities.

PLAY STRUCTURE

An Accessory Structure intended for the purpose of children's play, including but not limited to playhouse, jungle gym, swing set, or trampoline.

PREMISES

A distinct portion of real estate, land or lands with or without buildings or structures. It may or may not have the same meaning as "lot", "building", or "structure".

PRINCIPAL STRUCTURE (BUILDING)

A building in which is conducted the principal use of the lot on which it is located.(Amend Ord. 95-1397-27)

PROPERTY LINE

The line bounding a zoning lot, as defined herein.

PUBLIC WAY

Any sidewalk, street, alley, highway, or other public thoroughfare.

RECORDING (OF A DOCUMENT)

Officially record a document in the office of the Lake County Recorder.

RECREATION FACILITY, PUBLIC

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.

RECREATION FACILITY, PRIVATE

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.

POOL HOUSE

An Accessory Structure that serves and solely used in conjunction with an in ground swimming pool.

RECYCLING COLLECTION POINT

An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a parking lot or in other public/quasi-public areas. (Ord. 90-1163-47)

RESEARCH and DEVELOPMENT LABORATORY

A building or group of buildings with facilities providing scientific, medical or product research, investigation, testing, or experimentation, but excluding manufacturing or sale of products. (Ord. 15-3372-99)

RESERVOIR

The term "reservoir" is commonly applied to waters held in storage in either artificial or natural basins and impoundments primarily for a source of water for power, Municipal, industrial, domestic, or flood control uses. (Ord. 86-885-22)

RESTAURANT, TABLE SERVICE

Unpackaged food to the customer in a ready-to-consume state, in individual servings where food is served to the customer and the customer generally consumes these foods while seated at tables or counters located within, or immediately adjacent to, the building. Carry-out business shall be permitted at these establishments as a subsidiary use. (Ord. 02-1818-28) (Amd. Ord. 07-2983-11, eff. 5/14/07)

RESTAURANT, FAST FOOD

An establishment that is commonly referred to within the restaurant industry as a "QSR", or quick service restaurant. Characteristics common to a Fast Food Restaurant include one or more of the following: offers quick food service, a limited menu, food items pre-prepared or prepared quickly, orders are not-taken at the customers table, and food is generally served in disposable wrapping or containers. This type of establishment often times includes a drive-up or drive-through service facility. (Ord. Amd. 07-2983-11, eff. 05/14/07)

RESTAURANT, CONVENIENCE

An establishment commonly referred to within the restaurant industry as a "fast casual" restaurant. Characteristics common to a Convenience Dining Restaurant include: (a) the principal business model of the restaurant is to serve food at the patrons table; (b) limited menu items are made-to-order and are prepared only upon being ordered by the patron; and (c) the décor is more similar to a Table Service Restaurant than a Fast Food Restaurant. (Ord. Amd. 07-2983-11, eff. 05/14/07)

RETENTION

The permanent on-site maintenance of storm water.

RINGELMANN CHART

One which is described in the U.S. Bureau of Mines information Circular 8333, and on which are illustrated graduated shades of grey for use in estimating the light-obscuring capacity of smoke density.

ROADSIDE STAND

A structure for the display and sale of agricultural products, with no space for customers within the structure itself.

ROOF-MOUNTED ANTENNA POLE

Any structure that supports one or more antennas, and is designed and constructed to be attached, at its base, to the roof of an existing building.

SATELLITE EARTH STATION ANTENNA

Any dish-type satellite signal receiving station or disc antenna, whether flat or concave which is designed for receiving television, radio, data, microwave or other signals from satellites or other sources. (Amd. Ord. 95-1380-10, eff. 2/13/95)

SCREEN

Any permanent barrier comprised of natural or man-made materials which conceals from view all or any part of a deck or patio. (Amd. Ord. 12-3233-03, eff. 1/23/12)

SCREENING

A structure erected or vegetation planted for concealing from viewers the area behind it.

SELF-SUPPORTING FENCE

A fence made of rigid or semi rigid materials, capable of maintaining its shape without sagging or having significant deflection between support posts. (Amd. Ord. 12-3233-03, eff. 1/23/12)

SETBACK

The distance required between any Lot Line and the Structure or the nearest supporting member of any structure on the lot. See Figure 1.

SETBACK, FRONT

The required distance measured from the front lot line to the nearest member of the Structure, extending between the side and/or corner side lot lines. See Figure 1.

SETBACK, SIDE

The required distance measured from the side lot line to the nearest member of the Structure, extending between the front and rear setbacks. See Figure 1.

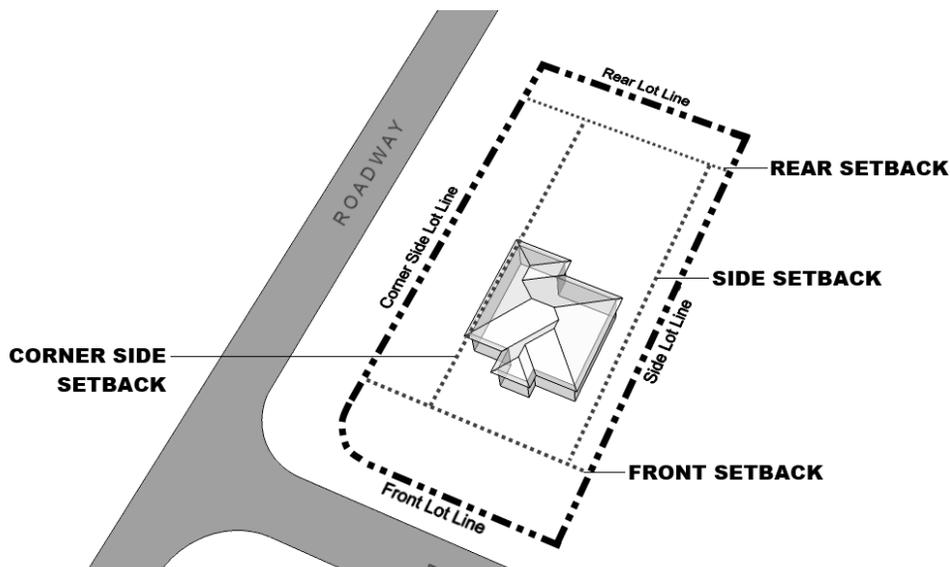
SETBACK, REAR

The required distance measured from the rear lot line to the nearest member of the Structure, extending between the side and/or corner side lot lines. See Figure 1

SETBACK, CORNER SIDE

The required distance measured from the side lot line adjoining a street, extending between the front and rear setbacks. See Figure 1.

Figure 1: Setbacks



SHORT-TERM RENTAL	The accessory use of a residential dwelling under a written or oral agreement providing for occupancy of all or part of the dwelling by any person other than the owner thereof in exchange for consideration therefor.
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.
SINGLE FAMILY ATTACHED STRUCTURE	A residential structure with more than one dwelling unit with an independent means of egress and with no interior common habitable areas. (amd. Ord. 95-1377-7, eff. 1/9/95)
SMALL WIRELESS FACILITY	A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than 6 cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.
SOUND LEVEL	The intensity of sound of an operation or use as measured in decibels.
SOUND LEVEL METER	An instrument standardized by the American Standards Association for measurement of the intensity of sound.
SPECIAL USE	A "special use" of land or buildings, or both, described and permitted herein, is a use subject to special provisions and which because of unique characteristics cannot be properly classified as a permitted use. (Ord. 86-885-22)
SPONSOR or SUPPORT STAFF	Any person licensed or similarly authorized by an agency of the State of Illinois to operate a community residential home. (Ord. 90-1182-66)
STORAGE STRUCTURE	A fully enclosed roofed structure used solely for storage.
STORY	That portion of a building included between the surface of any floor and

the surface of the floor above; or if there is no floor above, the space between the floor and the ceiling above. An English Basement shall be counted as a story, but a basement or cellar shall not be counted as a story.

STORY/HALF

A space under a sloping roof which has the line of intersection for roof decking and wall below the ceiling level of the top floor.

STREAM

Any natural, artificial, or channelized watercourse that transports continuous or periodic flowing water.

STREET

A publicly dedicated right of way not less than fifty feet (50') in width or a permanently reserved easement of access approved by the Board of Trustees, which affords a primary means of access to abutting property.

STRUCTURAL ALTERATIONS

Any change, other than incidental repairs in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams, or girders; or any substantial change in the roof or exterior walls.

STRUCTURE

Anything erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. An advertising or business sign, if detached or projecting from a building, shall be construed to be a separate structure. Accessory Structures shall be considered Structures notwithstanding whether they are permanently affixed or mounted to one location on the ground or attached to something having a permanent location on the ground. (Amd. Ord. 06-2011-02, eff. 1/23/06)

STRUCTURE, SEASONAL

An Accessory Structure located on residential property used for temporary seasonal use, including but not limited to, shade structures, and temporary ice rinks.

STRUCTURE, TEMPORARY

A structure located on non-residential property for temporary use and is removed when the permitted time period, activity, or use for which the temporary structure was erected has ceased.

SUPERVISION

The act of assuming responsibility for the day-to-day operation of a community residential home that includes, without limitation, the performance of any act that requires licensing, certification or such similar authorization by an agency of the State of Illinois of competent jurisdiction.

SUPPORT SERVICES

Those services provided to residents in order to facilitate their integration into the community and to improve their level of functioning and independence. (Ord. 90-1182-66)

SURFACE WATER ELEVATION

The normal water level elevation of a lake, stream, or stream bed as depicted on the United States Geological Survey (U.S.G.S.) flood plain topographic maps. If "surface water elevation" datum specified by the Illinois Department of Transportation - Division of Water Resources is more current than U.S.G.S. flood plain topographic maps, Division of Water Resources information may be used.

TEMPORARY EVENT	An organized occasion, activity, or gathering for public attendance on private property, which may be conditioned upon participant registration, for a fixed, short time period.
TEMPORARY SALES	Temporary sales of overstock and similar products manufactured, warehoused or distributed in the normal business operation of the principal use.
TENT, PERMANENT	An enclosure or shelter with walls and roofing constructed of pliable and non-pliable materials, installed on a permanent foundation, and intended for assembly use.
TENT, TEMPORARY	An enclosure or shelter with walls or roofing constructed of pliable materials and intended for seasonal use.
THREE-COMPONENT MEASURING SYSTEM	A complement of instruments or seismograph which can record, simultaneously, vibration vectors in three (3) mutually-perpendicular directions.
TOXIC MATERIAL	Any substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property when emitted in any amount, is injurious to plants, animals, or human beings.
TRAILER	Any vehicle, house, car, camp car, recreational vehicle, or any portable or mobile vehicle on wheels, jacks, horses, skids, or blocks, and with or without motive power; which is used, adapted, or designed for living, sleeping, business, trade, occupation, or storage purposes. A permanent foundation shall not change its character unless the entire structure meets Village Building Code regulations.
TRANSIENT GUEST	A tenant who does not have a lease and occupies an apartment, lodging room, or other living quarters on a month to month, week to week, or day to day basis.
TREE CHIPPING	The process whereby parts of trees, and no other forms of landscape waste, are received, stored and processed for sale to end markets in the form of raw materials or products.(Ord. 06-2948-40, eff. 8/14/06)
TUTORING CENTER	An office or classroom-style space where students receive assistance in either a personal or small group setting to become more successful academically.
URGENT MEDICAL CARE CENTER/CLINIC	An establishment comprised of physicians and other medical staff engaged in providing surgical services or emergency care services on an outpatient basis.
USE	The purpose or activity for which the land, building or structure thereon, is designed, arranged, or intended or for which it is occupied or maintained.
USE, PERMITTED	Any building, structure, or use which complies with the applicable

regulation of this Code governing permitted uses in the zoning district in which such building, structure or use is located.

USE, PRINCIPAL

The main use of land, building or structure as distinguished from a subordinate or accessory use.

USE, TEMPORARY

A use permitted for a limited duration and is discontinued upon the expiration of the approved time period.

VARIANCE

A relaxation of the terms of the Zoning Code 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 FUELING STATION

Any building or portion thereof or premises used primarily for dispensing or offering for sale at retail to the public, vehicle fuels, gasoline, petroleum products, and other permitted retail goods. (Ord. 97-1494-18 eff. 6/9/97)

**VEHICLE REPAIR
(AUTOMOBILE REPAIR)**

The general repair, engine, rebuilding or reconditioning of vehicles, collision service such as body, frame and fender straightening and repair, and painting of motor vehicles. (Ord. 97-1494-18 eff. 6/9/97)

**VEHICLE SERVICE STATION
(AUTOMOBILE SERVICE
STATION)**

Any building or portion thereof or premises used primarily for the dispensing or offering of vehicle fuels, petroleum products, and other permitted retail goods. Light maintenance and service activities such as tire repairs, battery replacement, lubrication, engine tune-ups, and minor repairs may be conducted within the completely enclosed building on the site. Vehicle Service Stations shall not include vehicle repairs other than as stated in this definition. (Ord. 97-1494-18 eff. 6/9/97)

**VEHICLE WASH
(AUTOMOBILE LAUNDRY)**

A completely enclosed building or portion thereof containing equipment or providing space or water for cleaning vehicles defined in the Illinois Vehicle Code as first division and Class B vehicles up to, and including 8,000 pounds, as a special accessory use to another principal permitted or special use in the zoning district. (Ord. 97-1494-18 eff. 6/9/97)

WAREHOUSE

A structure, part thereof, or area used principally for the storage of goods and merchandise.

WATCHMAN'S QUARTERS

Working facilities for an owner/operator or employee to provide twenty four (24) hour security in any zoning district where such accommodations are a permitted use. Watchman's quarters shall not serve as a primary residence for a watchman.

**WHOLESALE
ESTABLISHMENT**

A business establishment engaged in selling to retailers or jobbers rather than consumers.

YARD

An open space on a lot which is unoccupied and unobstructed from its lowest level to the sky, except by natural features and as otherwise

permitted in this Zoning Code. No yard provided for any building and required for the purpose of complying with this Zoning Code shall again be used as a yard for any other building.

YARD/CORNER SIDE

A side yard which adjoins a public street. See Figure 2.

YARD/FRONT

A yard extending from the abutting roadway to the front of the Structure and extending the full width of the lot. See Figure 2.

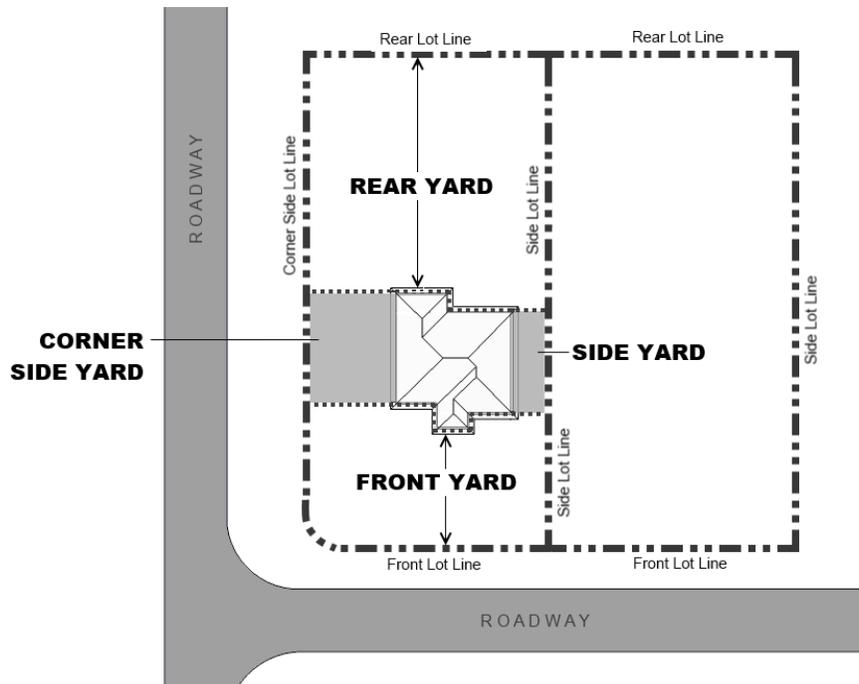
YARD/REAR

A yard extending from the rear lot line to the rear of the Structure and extending for the full width of the lot. See Figure 2.

YARD/SIDE

A yard extending from a side lot line to the side of the Structure, extending between the front and rear yards. See Figure 2.

Figure 2: Yards

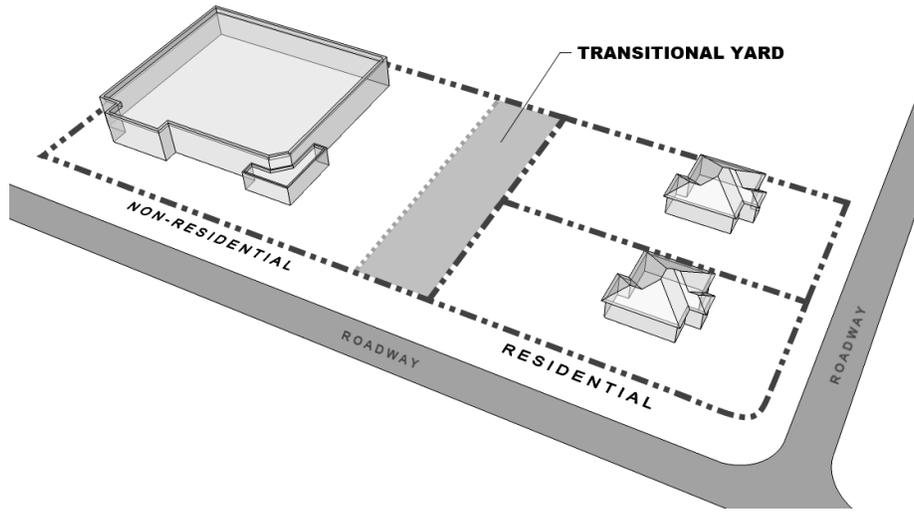


YARD/TRANSITIONAL

A yard which serves as a buffer between two incompatible zoning districts, when such yard of a non-residential zoning lot adjoins a

residential zoning district. See Figure 3.

Figure 3: Transitional Yard



ZONING ADMINISTRATOR

The officer and assistant designated by the Village Board of Trustees as the officer responsible for enforcing and administering all requirements of this Zoning Code.

**ZONING EXCEPTION
CERTIFICATE**

Refers to the written approval of the Zoning Administrator which indicates granting of relief from any of the provisions of this Code due to establishment as a lawful nonconforming building, structure or use, establishment as a lawful special use, the granting of a variation by the Board of Trustees, or court action granting the zoning exception. (Ord. 86-885-22)

TITLE 6: ZONING
CHAPTER 3: GENERAL ZONING REGULATIONS

SECTION:

- 6-3-1: Buildings on a Lot**
- 6-3-2: Allowable Uses of Land and Buildings**
- 6-3-3: Controls Established**
- 6-3-4: Building Height**
- 6-3-5: Accessory Structures and Uses**
- 6-3-6: Temporary Structures and Uses**
- 6-3-7: Special Uses**
- 6-3-8: Yards**
- 6-3-9: Floodplain Regulations**
- 6-3-10: Occupancy of Dwelling Units**
- 6-3-11: Conversion of Existing Structures for Residential Uses**
- 6-3-12: Heating Requirements**
- 6-3-13: Construction and Installation of Exterior Satellite Earth Station Antennas**
- 6-3-14: Sales Activities; Vending and Ice Machines**
- 6-3-15: Outdoor Lighting**
- 6-3-16: Adult Use Cannabis Business Establishments**

6-3-1: BUILDINGS ON A LOT

Except in the case of planned developments, special uses, Master Development plans for Mixed Use Developments in the R5-Mixed Use General Residence District, and personal wireless service facilities subject to the provisions of Chapter 16, not more than one principal structure shall be located on a lot in any zoning district. In addition to the principal structure, detached accessory structure(s) may be located on a lot as permitted in Section 6-3-5 of this Title. Carports are specifically prohibited. (Amd. Ord. 97-1534-58, eff. 11/10/97)

6-3-2: ALLOWABLE USES OF LAND AND BUILDINGS

The following uses of land and buildings and no others are allowed in the districts established hereinafter under the requirements specified in this Zoning Code.

- A. Permitted uses listed in this Zoning Code.
- B. Special uses listed in this Zoning Code only with the approval of the Mayor and Board of Trustees in each case and only in accordance with all the provisions and procedures as set forth in Chapter 14.
- C. Uses lawfully established on the effective date of this Zoning Code are subject to all provisions on Chapter 13.
- D. Where a building permit for a building or structure has been issued in accordance with law prior to the date of this Zoning Code and where construction has been started within one hundred eight (180) days of such effective date and diligently prosecuted completion, said building or structure may be completed accordance with approved plans on the basis of which the building permit was issued; and, further may upon completion be occupied under a certificate of use and occupancy for the use original designated; subject to the provisions of Chapter 13 of this Zoning Code.

6-3-3: CONTROLS ESTABLISHED

- A. Control Over Use: No lot, building, structure or premises shall hereafter be used or occupied and no building, structure or premises or part thereof shall be erected, razed, moved, reconstructed, extended, enlarged, or structurally altered except in conformity with the regulations and requirements herein specified for the district in which it is located, except as hereinafter provided. In residence districts, a lot shown on a plot properly recorded in the office of the County Recorder prior to the effective date of this Zoning Code which does not meet the requirements of this Zoning Code as to width or area, may be used for single-family detached dwelling purpose if it conforms to other requirements of this Zoning Code. However, said recorded nonconforming lot may not be used if it was held in common ownership with one or more adjoining lots at any time subsequent to the effective date of this Zoning Code and if such lots held in common ownership together meet the requirements of this Zoning Code, when used as a single parcel. Where two (2) or more adjoining lots shown in a plot properly recorded with the office of County Recorder have been held in common ownership at any time subsequent to the effective date of this Zoning Code and the use of such use of such adjoining lots as a single parcel would meet the requirements of this Zoning Code, the ownership of said lots shall not be separated nor shall any of the lots be used in any way to conflict with the regulations of this Zoning Code. No building permits shall be issued for the use of any lot or portion of said lot, transferred, or conveyed in violation of the provisions of this Section.

- B. Control Over Bulk: All new buildings and structures shall conform to the bulk regulations established herein for the district in which each building or structure is located. No existing building or structure shall be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this Zoning Code for the district in which such building or structure is located.

6-3-4: BUILDING HEIGHT

In R1, R2, and R3 Districts, an allowable nonresidential building may be erected to a height not to exceed sixty feet (60') when the required front and rear yards are increased in depth, and side yards are increased in width, one foot (1') for each foot of height that such building exceeds the building height regulations of the district in which it is located.

6-3-5: ACCESSORY STRUCTURES AND USES

No accessory structure or use shall be established, erected, altered or moved onto a lot unless it is specifically conforms to the requirements of this Section.

A. General Requirements

1. Floor Area Ratio: The maximum size shall not exceed 10% of the gross square feet of the Principal Structure on the lot, except as further regulated in Section 6-3-5(B).
2. Height: The maximum height shall not exceed fifteen (15) feet, except as further regulated in Section 6-3-5(B).
3. Location: Shall meet the minimum required Setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-5(B).
4. Relationship to Principal Structure: No portion of an Accessory Structure shall extend beyond the front façade of the Principal Structure on the lot.
5. Tree Removal: Any tree removal related to the installation of an Accessory Structure shall be subject to the tree removal requirements of Section 13-1-3(I).

6. **Quantity:** A maximum of two Accessory Structures shall be permitted on a lot. No two Accessory Structures shall be the same, with the exception of Play Structures. These restrictions shall not apply to permanent tent structures or small wireless structures.
7. **Establishment:** An Accessory Structure shall not be erected, altered or moved onto a lot prior to the establishment of a permitted Principal Structure on the same lot. Accessory Structures to any non-residential use or structure shall require Architectural Review Board approval prior to establishment.
8. **Appeal:** Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Architectural Review Board or Zoning Board, for final decision by the Village Board of Trustees.

B. **Specific Requirements:** The following Accessory Structures and Uses shall be permitted subject to the additional specific regulations set forth below:

ACCESSORY STRUCTURES AND USES 6-3-5(B)										P = Permitted S = Special Use	
Flagpole & Flags	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M P	
<ul style="list-style-type: none"> Flagpoles shall not exceed a height of fifteen feet (15') or 75% of the height of the Principal Structure, whichever is greater. Flagpoles may be located beyond the front façade of the Principal Structure and shall comply with all required building setbacks or setbacks shall be equal to the pole height, whichever is greater. Flagpoles shall be exempt from the Quantity requirement of Section 6-3-5(A)(6). In addition, Flagpoles in single-family residential lots shall be limited to one (1) flagpole per lot. 											
Gazebo	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M	
<ul style="list-style-type: none"> Shall incorporate traditional/classical architectural detailing and ornamentation in the pillars, railings, walls, eave brackets, structural members, roof and/or similar elements Shall have a shape of six (6) or more sides, with a maximum diameter of fifteen feet (15'). Shall be open sided, with no more than 50% of any exterior side of the structure consisting of a solid wall surface. Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; hot tubs; whirlpool tubs or similar equipment is prohibited. Permanent or temporary windows or other installations are prohibited. The installation of screens to control insects and ceiling fans are permitted. Storage is prohibited. Shall be constructed of wood materials erected upon concrete piers or a structural foundation Permitted within the required rear yard setback, provided the Gazebo is no closer than ten feet (10') from the nearest property line(s). 											
Greenhouse	R1 P	R2 P	R2A P	R3 P	R4	R5	B	E	O/I P	M	
<ul style="list-style-type: none"> At least two walls and the roof of the structure must be glass or similar transparent materials. Storage of materials other than plants shall not be visible from adjacent properties and public ways 											
Massage Business	<u>R1</u>	<u>R2</u>	<u>R2A</u>	<u>R3</u>	<u>R4</u>	<u>R5</u> S	<u>B</u> S	<u>E</u> S	<u>O/I</u> S	<u>M</u>	
<ul style="list-style-type: none"> <u>Any person seeking to obtain approval under this Chapter to operate an accessory massage business must, in addition to the special use application, provide the following minimum information: (a) written authorization from principal business operator to apply for approval to operate an accessory massage business; (b) the term of any lease or other occupancy arrangement with principal use operator; (c) the number of massage therapy rooms or beds; and (d) the gross area occupied by the massage business, including, without limitation, any reception area, waiting area, office area, and bathroom.</u> <u>No massage business shall occupy more than 25% of the gross floor area of the principal use, including, without limitation, any reception area, waiting area, office area, and bathroom.</u> <u>Parking: Off-street parking shall be required at the same rate required for a day spa.</u> <u>The license of each massage therapist engaged in providing massage services shall be conspicuously posted so that an invitee or guest can view the license from non-private areas of the business.</u> 											
Memorial Garden	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M	
<ul style="list-style-type: none"> As defined in Section 6-2-2 											
Memorial Assembly Facility	R1	R2	R2A	R3	R4	R5	B	E	O/I	M	

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| | S | S | S | S | S | S | | | | |
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- Shall only be permitted as an accessory use to an assembly use, including but not limited to religious institutions or schools.
 - Shall be permitted inside the principal structure on the lot.
 - If located outside as an accessory structure, the following shall apply:
 1. Shall be located not less than 100 feet from any Lot Line where there is Frontage.
 2. Shall maintain a minimum distance of 135 feet from any Lot Line where there is no Frontage.
 3. Shall be located not more than 20 feet from the principal structure on the lot.
 4. Shall comprise an area no greater than 600 square feet.
 5. The structure shall have a height not greater than 3 feet.
 6. The structure shall be concealed from the adjacent right-of-way and contiguous residential Lots with vegetation which provides complete screening during the entire year and shall be a minimum of 6 feet tall at the time of planting (such vegetation shall not be considered part of the permitted area).
 7. The face of the structure into which cremated human remains are interned must substantially face towards the principal structure on the Lot.

Parking Garage Structure	R1	R2	R2A	R3	R4 S	R5 S	B S	E S	O/I S	M
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- Refer to permitted zoning districts for specific regulations.

Permanent Tents	R1	R2	R2A	R3	R4	R5	B P	E	O/I	M
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- Permitted on properties measuring 100 acres or greater.
- Permitted for assembly purposes only.
- Shall include a permanent foundation.
- Shall not exceed a height of twenty-five (25') feet from the established grade.
- Shall have a maximum gross floor area no greater than 10% of the gross floor area of the Principal Structure on the lot or 15,000 square feet, whichever is less.
- Storage of materials is prohibited except for limited storage of tables and chairs used in the tent.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten (10') from the side and rear property lines.

Personal Recreation Facility	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- Recreation courts/facilities which do not require a foundation, concrete slab, or impervious surface floor shall not require a building permit.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).
- Lighting shall be positioned and operated to minimize the amount of light and glare cast onto any adjacent property or street to not be a nuisance.

Play Structure	R1 P	R2 P	R2A P	R3 P	R4 P	R5	B	E	O/I	M
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- Structures which do not include a foundation or concrete slab shall not require a building permit.
- Playhouses shall not exceed 8 feet in height and a maximum floor area of sixty (60) square feet.
- Storage of materials is prohibited.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).

Private Residential Swimming Pools & Pool Houses	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- Private Residential Swimming Pools – Refer to Chapter 5 of Title 5 for specific requirements.
- The combination of a Private Residential Swimming Pool and Pool House shall be classified as one Accessory Structure/Use and exempt from the Quantity requirement of Section 6-3-5(A)(6).
- The use of a Pool Houses as a Second Residential Unit is prohibited.
- Pool Houses shall be constructed with the same materials used on the Principal Structure.
- Pool Houses shall be permitted only in conjunction with an in-ground swimming pool. Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; heating/air conditioning is permitted.

Second Residential Unit	R1 S	R2	R2A	R3	R4	R5	B	E	O/I	M
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- Refer to Section 6-5A-2(H) for specific requirements.

Small Wireless Facility	R1 S	R2 S	R2A S	R3 S	R4 S	R5 S	B P	E P	O/I P	M P
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- Small Wireless Facilities which require a special use must also meet the definition of a “no impact” facility, as described in Section 6-2-2.
- The maximum height of a small wireless facility collocated on an existing structure shall be limited to 10 feet above the structure on which the small wireless facility is collocated.
- The maximum height of a new small wireless facility which is not collocated on an existing structure may not exceed: (i) 10 feet in height above the tallest existing utility pole that is in place on the date the application is submitted, that is located within 300 feet of the small wireless facility and that is in the same right-of-way within the Village; or (ii) 45 feet above ground level.

- A small wireless facility collocated on an existing structure shall not count toward the floor area ratio and shall be exempt from Section 6-3-5(A)(1).

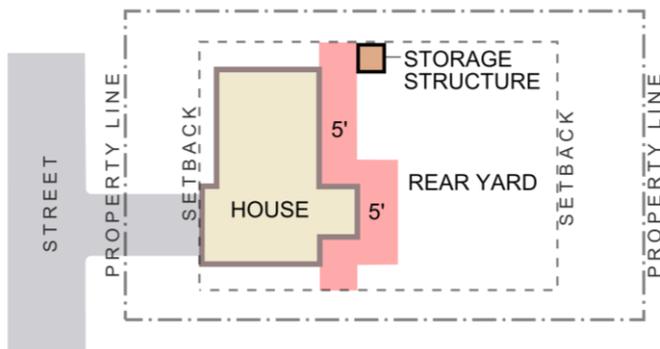
Short-Term Rental

- Except as otherwise provided herein, leasing a residential dwelling in any Residential zoning district (R1 through R5, inclusive) for less than three (3) months shall be prohibited.
- The term of any lease which has satisfied the minimum term required by these rules may be extended on a month-to-month basis so long as the tenant(s) remain the same.
- Residential dwellings shall not be leased more than two (2) times during any consecutive twelve (12) month period unless the rental agreement has been terminated by reason of a tenant default.
- The rental premises may comprise all or a part of the principal structure.
- The rental premises shall not count toward the limit of accessory structures otherwise permitted by this Chapter.
- The form of consideration exchanged for the rental premises does not affect whether it is treated as a short term rental for the purposes of this Chapter.
- The property owner shall remain responsible for compliance with all Village Codes during the term of any rental agreement unless the owner can show by clear and convincing evidence that the tenant caused the violation despite good faith efforts by the owner to abate the violation.
- No Temporary Structure shall be permitted to be used for short term rental.
- The prohibition on short term rentals for less than three (3) months shall not apply when the immediately preceding owner maintains possession of the dwelling unit after closing and leases it from the successor owner under a written lease agreement.

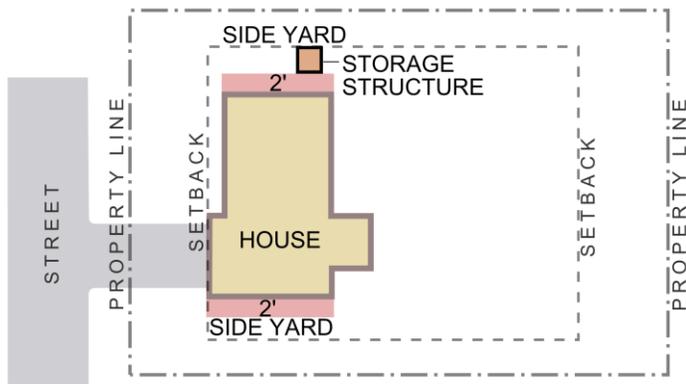
Storage Structure

R1	R2	R2A	R3	R4	R5	B	E	O/I	M
P	P	P	P						

- Shall be located in one of the following locations:
Rear Yard: Within five feet (5') of the Principal Structure (see figure below)



- Side Yard: Within two feet (2') of the Principal Structure (see figure below)



- Shall have a maximum floor area of 100 square feet.
- Shall not exceed a height of ten feet (10') from the established grade.
- Shall be placed on a hard surface, including but not limited to a concrete pad, cement blocks or similar materials.
- Shall be screened by plant material that provides visual relief throughout the year from both the public way and adjacent properties.
- Plastic, corrugated metal, fiberglass and dryvit/stucco are prohibited unless they are the primary material(s) on the principal structure.

END OF ACCESSORY STRUCTURES AND USES LIST

6-3-5(B)

- C. Existing Non-Conforming Accessory Structures: Accessory structures existing as of July 10, 1995 shall be considered Non-Conforming and may be preserved, maintained and used subject to the restrictions in Chapter 13 of this Title.
1. Detached garages located within the Stonegate Circle Subdivision, as defined in Ordinance No. 62-000-70, shall not be subject to the restrictions in Chapter 13 of this Title, but shall be subject to flood plain and flood way regulations and are permitted to perform normal maintenance and incidental repair, reconstruction and restorations but may not increase the existing garage floor area.

6-3-6: TEMPORARY STRUCTURES AND USES

No temporary structure or use shall be established or erected on a lot unless it is specifically permitted by the requirements of this Section.

A. General Requirements

1. Authorization: Except as set forth in 6-3-6(B), a Temporary Use Permit shall be required from the Department of Community & Economic Development prior to the establishment of any temporary structure or use.
2. Location: All Temporary Structures shall meet the minimum required setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-6(B).
3. Temporary Use Permit: Application for a Temporary Use Permit shall be submitted to the Department of Community & Economic Development and shall be issued upon full compliance with the standards and submittal requirements set forth below:
 - a. An accurate site plan of the property to be used for the Temporary Use or Structure, including all information necessary to accurately locate and portray the Temporary Use or Structure on the premises. Sufficient information to determine compliance with yard requirements, availability of off-street parking, and adequate traffic circulation to service the proposed Temporary Use or Structure shall also be provided, as determined by the Department of Community & Economic Development.
 - b. A detailed written description of the proposed Temporary Use and/or depiction or illustration of building elevations for any proposed Temporary Structure.
 - c. Consent from the property owner or legal representative of the land owner shall be obtained in writing. A copy of such authorization shall be included with the Temporary Use Permit.
 - d. Such other data and/or certifications as may reasonably be required by the Director of Community & Economic Development for the purpose of enforcing the regulations set forth in this Title.
4. Conditions: A Temporary Use Permit may be subject to such special conditions and restrictions on the location and operation as deemed reasonably necessary by the Director of Community & Economic Development to protect the public health, safety and welfare in consideration of site specific conditions.
5. Revocation: A Temporary Use Permit shall be revoked if any of the standards and conditions imposed pursuant to this Section, or permit, are violated.

6. Length of Permit: A Temporary Use Permit is valid for one (1) year from the date of issuance and shall be renewed each year, except as further regulated by Section 6-3-6(B). A permit fee in the amount outlined in the Comprehensive Fee Schedule shall be collected for the permit.
 7. Appeal: Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Zoning Board, for final decision by the Village Board of Trustees.
- B Specific Requirements: The following Temporary Structures and Uses shall be permitted and are further subject to the specific regulations set forth below:

TEMPORARY STRUCTURES AND USES 6-3-6(B)		TUP = Temporary Use Permit Required P = Permitted (No Permit Required) BP = Building Permit Required									
Construction/Contractor Trailer/Office	R1	R2	R2A	R3	R4	R5	B	E	O/I	M	
<ul style="list-style-type: none"> Refer to Section 5-1-8(7), <i>Temporary Trailers</i>, for specific requirements. 	BP	BP	BP	BP	BP	BP	BP	BP	BP	BP	
Farmers Market	R1	R2	R2A	R3	R4	R5	B	E	O/Ia	M	
<ul style="list-style-type: none"> Permitted a maximum of one (1) day within a consecutive seven (7) day period. The hours of operation are limited to a maximum six (6) hour period, which includes vendor set-up and removal, subject to the approval of the Director of Community & Economic Development. All products sold by vendors must be home-grown or home-made, and sold by the producer(s), family member(s), employee(s), or designated representative(s). In the event a vendor is deemed not to meet these criteria, but is determined the vendor adds material value to the market, the Director of Community & Economic Development has authority to make exceptions to such criteria. Other related activities, special programs and events may be conducted on the premises subject to the review and approval of the Director of Community & Economic Development. A Market Manager shall be designated by the Applicant to serve as the principal person responsible for overseeing the operations of the market. The Market Manager shall ensure all waste, debris, or any other evidence of the market is removed from the premises no later than two (2) hours after closing time. All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire and the Lake County Department of Health and the State of Illinois at all times. 	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
Garage Sales	R1	R2	R2A	R3	R4	R5	B	E	O/I	M	
<ul style="list-style-type: none"> Shall be permitted up to three (3) consecutive days between the hours of 8:00 a.m. and 5:00 p.m. each day. Not more than two (2) garage sales shall be conducted on the same premises within a calendar year with a minimum thirty (30) days between each sale. In the event of rain during the three (3) day sale period, such sale period may be extended one additional day within the subsequent seven (7) days for each day of rain. A Temporary Use Permit shall be obtained from the Department of Community & Economic Development not less than 48 hours prior to the start of any garage sale. Signage shall be in compliance with Section 12-13-1, <i>Temporary Signs</i>, of the Lincolnshire Sign Control. 	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
Holiday Decoration Sales Lot	R1	R2	R2A	R3	R4	R5	B	E	O/Ia	M	
<ul style="list-style-type: none"> Shall be permitted during the months of October, November and December. All items to be displayed and sold shall consist of natural materials (for example; pumpkins, holiday trees and wreaths, etc.). Adequate vehicular access and off-street parking provisions shall be provided on-premises of the operation, subject to the determination of the Director of Community & Economic Development. Daily operations shall conclude at 9:00 PM. One temporary structure shall be permitted for office, sales, or storage uses and shall comply with all yard requirements of this Title. Outdoor lighting as described in Section 6-3-15 shall apply, regardless of location. All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire Health Code, the Lake County Department of Health and the State of Illinois. 	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
Mobile Services	R1	R2	R2A	R3	R4	R5	B	E	O/I	M	
<ul style="list-style-type: none"> Shall be located entirely on private property and shall only provide service to the owner, tenants and their respective employees or 	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	

customers with a scheduled appointment window of less than thirty (30) minutes. Consent from the property owner or legal representative of the property owner must be obtained in writing in advance, and a copy of such authorization shall remain on file with the Community & Economic Development Department.

- All services and product storage shall occur within a fully enclosed facility, which may include a mobile facility. All waste, including fluids, shall be contained within the facility and properly disposed pursuant to local, state, and federal guidelines/regulations. Minor services may be permitted outdoors, as authorized by the Department of Community & Economic Development.
- Permitted a maximum of three (3) days in a consecutive seven (7) day period.
- All signage, product and service information must be securely attached to the mobile facility. Directional signs may be permitted to ensure proper traffic circulation and access, as authorized by the Department of Community Economic Development.
- The location of the operation shall not interfere with vehicle ingress and egress to the premises, nor impede traffic circulation in any way.
- Set-up and removal of the Mobile Services must occur within the same day of operation. Overnight storage and parking of equipment is prohibited.
- A separate Temporary Use Permit shall be required for each individual location of operation, regardless if all services are performed by the same owner/operator.
- All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire Health Code, the Lake County Department of Health and the State of Illinois.

Mobile Food Vendor	North Park, Spring Lake, Public Schools TUP				R5 TUP	B TUP	E TUP	O/I TUP	M TUP
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- Shall possess a valid license for operation from the Lake County (IL) Health Department. A copy must be submitted to the Department of Community & Economic Development prior to operation.
- Parking or standing in any public right-of-way for the purpose of preparing, cooking, serving or selling products shall be prohibited, with the exception of ice cream vending.
- All of the proprietor’s activity associated with a Mobile Food Vendor must occur within the vehicle.
- Consent from the property owner or legal representative of the land owner, either written or verbal, must be obtained prior to operation.
- All signage, product and menu information must be securely attached to the mobile food vehicle.
- Operation shall be permitted for a maximum of four (4) hours at any single location.

Model Sales Office/Unit/Trailer	R1 BP	R2 BP	R2A BP	R3 BP	R4 BP	R5 BP	B	E	O/I	M
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- Shall be permitted upon the recording of a final plat of subdivision for sales or marketing of any residential development and shall not be used for general office purposes.
- Shall be located on the same premises as the development site and must be securely affixed to the ground and meet all applicable codes and regulations of the Village, including building setbacks, light, ventilation, egress, and space for the occupancy of a structure.
- Must be removed upon the sale of the last unit of the development.
- Shall not contain any sleeping or cooking accommodations, unless located in a model unit.

Seasonal Structure	R1 P	R2 P	R2A P	R3 P	R4 P	R5	B	E	O/I	M
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- Only one (1) Seasonal Structure shall be permitted at any one time.
- Shall be permitted for a portion of the year for seasonal use only, and shall not remain for an uninterrupted period longer than six (6) months within any consecutive twelve (12) month period.
- Shall not include a permanent foundation.
- Shall not exceed a height of fifteen feet (15’) from the established grade.
- Shall have a maximum floor area ratio no greater than 10% of the gross square feet of the Principal Structure on the lot.
- Storage of materials is prohibited.
- Installation of natural gas, water supply or sanitary sewer service, plumbing fixtures or similar utilities is prohibited.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10’) from the side and rear property lines.

Temporary Event	R1	R2	R2A	R3	R4	R5 TUP	B TUP	E TUP	O/I TUP	M TUP
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- Event hours are limited between the hours of 9:00 a.m. and 11:00 p.m.
- Permitted a maximum of three (3) consecutive days.
- No more than two (2) temporary events shall be permitted on the same premises in any calendar year.
- An Event Manager shall be designated to serve as the principal person responsible for overseeing the operations of the event. The Event Manager shall ensure all waste, debris or any other evidence of the event is removed from the premises no later than two (2) hours after the closing time.
- Adequate off-street parking shall be provided on the premises of the temporary event, as determined by the Department of Community Development. Off-premises parking locations may be permitted, subject to the authority of the Department of Community Development.

- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Temporary Sales	R1	R2	R2A	R3	R4	R5	B	E TUP	O/I TUP	M TUP
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- Shall be associated with an existing permitted use or Special Use.
- Products to be sold shall be manufactured, warehoused or distributed in the normal business operation. No products shall be brought from other sources for the purposes of the temporary sale.
- All temporary retail sales, including the display of products, shall take place within the fully enclosed building associated with the principal use.
- No more than three (3) temporary sales events shall be permitted on the same premises in any calendar year.
- Adequate off-street parking shall be provided on the premises of the temporary sale, as determined by the Department of Community Development.
- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Temporary Tents	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M P
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- Shall be permitted for a portion of the year for seasonal use only.
- Shall not remain for an uninterrupted period longer than six (6) months in non-residential districts and 30 days in residential districts within any consecutive twelve (12) month period.
- Shall not exceed a height of twenty-five (25') from the established grade.
- Shall have a maximum gross floor area ratio no greater than 10% of the gross floor area of the Principal Structure on the lot or 5,000 square feet, whichever is less.
- Storage of materials is prohibited.
- Installation of natural gas, water supply or sanitary sewer service, plumbing fixtures or similar utilities is prohibited.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10') from the side and rear property lines.

End of Temporary Structures and Uses List 6-3-6(B)

6-3-7: SPECIAL USES

Where a lawful use exists on the effective date of this Zoning Code or an amendment thereto and it is classified as a special use in the district in which it is located by this Zoning Code, it shall be considered as a lawful special use.

6-3-8: YARDS

A. General

1. For the purposes of this Section, "Required Yard" shall mean any yard subject to building setbacks.
2. No lot shall be reduced in area so that the yards or other open spaces become less than required by this Zoning Code.
3. On a vacant corner lot, any street lot line may be established as the front lot line; except where two (2) or more contiguous lots have duly established a front lot line, the same street lot line shall thereafter be deemed the front lot line. On a through lot, a front yard shall be provided along both street lot lines.

B. Permitted Obstruction in Any Required Yard Setback

1. Chimneys, overhanging roof eaves, open terraces, and awnings adjoining the principal building, provided they do not exceed ten percent (10%) of the depth or width of the yard.
2. Ornamental light poles and fixtures.
3. Landscaping as regulated in Sections 8-3-4(B); *Parkways*; and 13-2-5; *Landscape Requirements in Pubic Right-of-Ways*, provided that on corner lots, no obstruction

higher than thirty inches (30") above curb level shall be located within twenty feet (20') of the lot corner formed by the intersection of any two (2) right-of-way lines.

4. Fences and Screens as regulated in Chapter 15 of Title 6.
5. Off-street Parking and Loading Improvements as regulated in Chapter 11 of Title 6.
6. Paved surfaces provided they are no closer than five feet (5') from any Property Line.
7. Signs as regulated in Title 12.
8. Cable satellite antennas or SESA no larger than twenty-four inches (24") in diameter.
9. Underground lawn irrigation systems as regulated in Section 8-3-9.
10. Electric dog fences as regulated in Section 8-3-9.

C. Permitted Obstructions in Required Front Yard Setback

1. Mailboxes
2. Decorative walls subject to the following requirements:
 - a. A maximum overall height of three and one half feet (3'-6").
 - b. A maximum of two (2) columns per wall segment and a maximum of two (2) wall segments per frontage or primary curb cut.
 - c. Columns shall not exceed an overall height of five feet (5') and have a maximum square width of twenty-four inches (24").
 - d. The total length of the decorative wall, including columns, shall not exceed fifteen percent (15%) of the lot's frontage.
 - e. Decorative walls and columns shall be finished in the same exterior materials as the Principal Structure.
 - f. A light element is permitted atop columns and shall not exceed eighteen inches (18") in overall height in addition to the overall height of the columns.
3. Decorative columns subject to the following requirements:
 - a. A maximum height of five feet (5') and have a maximum square width of twenty-four inches (24");
 - b. Shall be finished in the same exterior materials as the Principal Structure.
 - c. A light element is permitted atop columns and shall not exceed eighteen inches (18") in overall height in addition to the overall height of the columns.

D. Permitted Obstructions in Required Side Yard Setback

1. Fences as regulated in Chapter 15 of Title 6 provided that no portion of a fence shall be constructed within a dedicated conservancy area/ easement, which extends continuously between adjacent lot lines.
2. Swimming pools, hot tubs, and spas, as regulated in Chapter 5 of Title 5.

3. Seasonal Structures, provided a minimum ten foot (10') setback from the side property line is established.

E. Permitted Obstructions in Required Rear Yard Setback

1. Play Structures, provided a minimum ten foot (10') setback from any property line is established.
2. Laundry Drying Equipment.
3. Arbors and Trellises.
4. Gazebo, provided gazebo is no closer than ten (10') feet from the nearest property line(s).
5. Personal Recreation Facility, provided they are no closer than ten (10') feet from the nearest property line(s).
6. Swimming pools, hot tubs and spas, as regulated in Chapter 5 of Title 5.
7. Seasonal Structures, provided they are no closer than ten (10') feet from the nearest property line(s).
8. Fences as regulated in Chapter 15 of Title 6 provided that no portion of a fence shall be constructed within a dedicated conservancy area/ easement, continuously between adjacent lot lines.

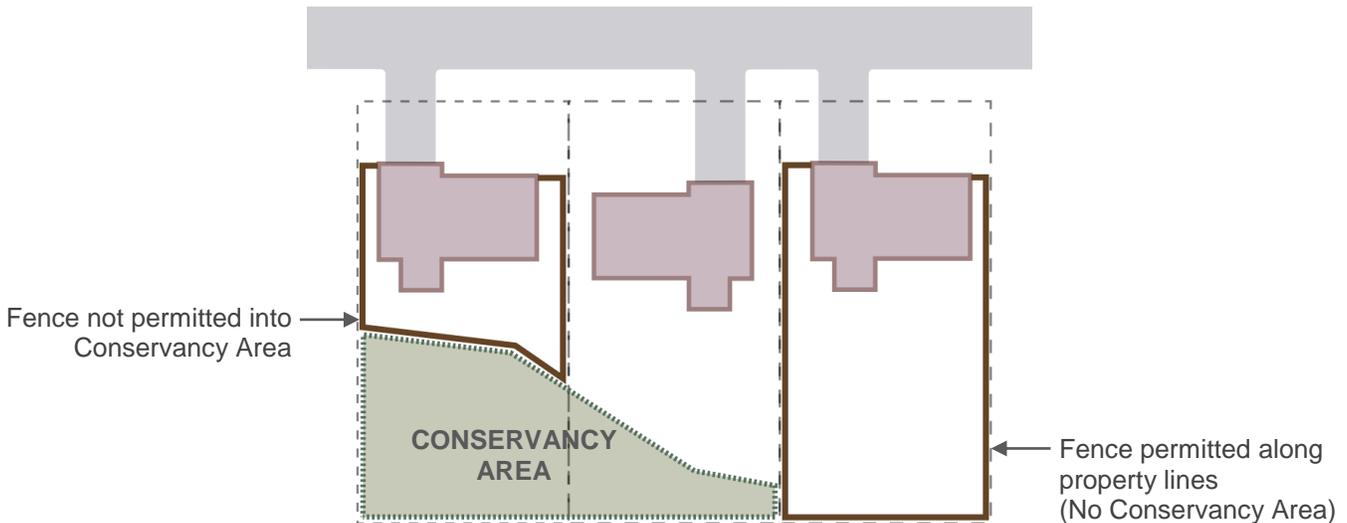


Illustration for 6-3-8-E(8)

6-3-9: FLOODPLAIN REGULATIONS

The provisions of Title 5 Chapter 7 entitled "Flood Damage Prevention" be and are hereby incorporated by reference as regulations governing all development under this Zoning Code, and such provisions shall apply to the full extent as if set forth at length herein. (Ord. 80-643-50)

6-3-10: OCCUPANCY OF DWELLING UNITS

- A. No dwelling units shall be occupied by more than one family as defined by this Zoning Code, except as hereinafter provided.

- B. No dwelling unit which contains less than one thousand seven hundred fifty (1,750) square feet of floor area shall be used to provide living quarters for roomers, servants or permanent guests.
- C. Where a dwelling unit is not occupied by a family as provided in A or B above, said dwelling unit may be occupied by not more than three (3) unrelated persons; provided that said dwelling unit contains not less than five hundred eighty three (583) square feet of floor area for each such occupant.
- D. Where the floor area of a dwelling unit exceeds one thousand seven hundred fifty (1,750) square feet, and the "family" occupying said dwelling unit does not consist of unrelated persons, said dwelling unit may be used for living quarters for not more than two (2) servants, roomers, or permanent guests, provided that said living quarters are located within and are physically an integral part of the dwelling unit.

6-3-11: CONVERSION OF EXISTING STRUCTURES FOR RESIDENTIAL USES

- A. No building may be converted to a use or in a manner not allowed by the regulations of the zoning district within which said building is located.
- B. Every conversion must comply with the regulations of the Building Code, Title 5 of this Code, and all other applicable regulations of the Village.
- C. Where a building is nonconforming in respect to height, bulk, lot area per dwelling unit, required yards or off-street parking (See Chapter 13 of this Title), no conversion shall be permitted, unless said building is brought into conformity with all applicable requirements of this Zoning Code (Ord. 65138-15).

6-3-12: HEATING REQUIREMENTS

All primary heating units shall be operated by electricity, gas, oil or solar energy. (Ord. 82-744-51)

6-3-13: CONSTRUCTION AND INSTALLATION OF EXTERIOR SATELLITE EARTH STATION ANTENNAS

- A. Village Policy: It is the stated policy of the Village that installation of satellite earth station antennas (SESA) and equipment can, unless controlled, adversely affect health, safety and aesthetic values and objectives of the Village and its residents in all zoning districts. The Village considers the rural ambience and residential character to be an extremely important aspect of the community's quality of life. Great care is taken to protect these aesthetic values through preservation of natural resources and protection of the visual environment. One of the very important means by which this goal can be achieved is by recognizing that satellite earth station antennas of all sizes, shapes, varieties and uses constitute physical additions and potential hazards to the Village of such character that their construction, placement, installation and use requires close examination and constant review by the Village. Satellite earth station antennas are structures quite different in appearance from typical structures anticipated by the Codes of the Village and the installation of satellite earth station antennas may not be compatible with existing structures and land uses in the Village. The appearance of this SESA from neighboring properties and the removal of desirable vegetation to allow placement of the SESA are major negative consequences of such systems. In addition, it is extremely important that all safety aspects be addressed to protect persons and property including wind loads, attractive nuisances to children, site lines on roadways and other factors.

In every case the entire installation must be compatible with the character of the surrounding area of the Village and shall not have an adverse impact on the health, safety or aesthetic values and planning objectives of the area.

In view of the foregoing, in order to protect the health, safety and welfare of the Village and to provide for reasonable regulation, all exterior satellite earth station antennas, including all forms of receivers of satellite transmissions, shall be considered structures subject to the terms of the Village Code and shall be subject to all ordinances relating to structures.

B. General Regulations: The construction and installation of the satellite earth station antenna must strictly conform to all Village Ordinances.

1. Appearance: The installation must exhibit architectural quality.

a. Location

(1) All portions of the satellite earth station antenna shall be located only in rear yards and not within a required rear or side yard setback as defined in the Zoning Title, unless otherwise provided for in this Section.

(2) Installations shall not be permitted in, or be permitted to extend into that portion of a lot between any front facade of a building and a public way.

(3) Consideration shall be given to protection of the health, safety, and welfare of children as in the case of an attractive nuisance.

(4) No satellite antenna shall be installed on a vacant lot.

b. Height

(1) Installation on poles (other than the mount), masts and towers is prohibited.

(2) Installation shall be subject to the specific regulations for type of antenna: ground, roof, wall-mounted.

c. Materials

(1) The satellite earth station antenna shall be constructed of noncombustible and corrosive resistant materials.

(2) The reflector element of the SESA shall be mesh construction unless otherwise specifically allowed by these regulations.

d. Color: All parts of the satellite earth station antenna and appurtenant equipment shall be of a color that will blend with the surroundings and any immediately adjacent structure.

e. Miscellaneous: Advertising names and logos shall not be permitted on the structure except when the removal of such name or logo would interfere with adequate reception.

2. Installation: All systems shall be installed strictly in accordance with all codes adopted by the Village, shall exhibit structural integrity at all times, and shall comply with the manufacturer's requirements.

- a. **Method of Attachment:** The permanent foundation or mounting for the antenna shall be adequate for anticipated wind loads. Fixed elevation antennas shall be installed to withstand 125 m.p.h. winds, while adjustable installations must be designed to withstand 100 m.p.h. winds.
 - (1) **Ground Mounted:** The supporting structure for the SESA is to be permanently ground mounted and embedded in, or an integral part of a monolithic concrete footing to a depth below the frost line. The SESA or supporting structure shall not be attached to any building or structure on the lot.
 - (2) **Roof Mounted:** Installation of an antenna on a roof must accommodate both live and dead load requirements.
 - (3) **Wall Mounted:** The mast and foot assembly shall be in accordance with the manufacturer's requirements based on the material to which the structure is to be mounted.
- b. **Safety:** The unit shall be adequately grounded for protection against a direct lightning strike or accidental electrical energizing of the unit.
- 3. **Maintenance:** All portions of the SESA and required screening shall be maintained in a safe, clean and attractive condition by the property owner.
- 4. **Miscellaneous:** The exterior display of samples, models or facsimiles of an SESA used by any business establishment such as a company, firm, installer or contractor for the purpose of promoting the sale thereof, shall be subject to all of the applicable requirements of this Section. Experimental or temporary installations, inferior materials and questionable stability shall not be permitted.

C. Specific Regulations

- 1. **Ground Mounted Antenna**
 - a. **Location:** Located a minimum of 10' from any building or structure on the lot and entirely behind the rear building facade.
 - b. **Height:** The height of a ground mounted SESA or any portion thereof, shall not extend more than the diameter of the satellite reflector element plus two feet (2') from ground level.
 - c. **Size:** The diameter of the satellite earth station antenna reflector element shall be the smallest practical size and in no instance shall exceed 10'.
 - d. **Material:** The reflector element shall be constructed of mesh materials unless otherwise provided for in this Section, or if the size of the reflector element is 24" or less in diameter.
 - e. **Color:** A color which blends with the natural surroundings of the site or immediately adjacent structure.
 - f. **Quantity:** Not more than one ground mounted satellite earth station antenna shall be installed on a single zoning lot or building site.
 - g. **Screening:** An earth berm, fence, walls, arbors or other appropriate landscaping (and also natural woodland vegetation), including trees, shrubs, and hedges

approved by the Village Forester shall be installed and maintained to screen the SESA as completely as possible without preventing reception to said antenna. The SESA shall be screened so as to obscure views of the system from adjoining properties and public ways at all times.

2. Roof Mounted Antenna

Single Family Detached Residential Structures

The installation of the SESA shall be permitted on a peak, pitched, sloped, flat roof or chimney provided the design of the system is in keeping with the Village Policy for the Construction and Installation of Exterior Satellite Earth Station Antennas and in accordance with the following regulations:

- a. Location: The SESA shall be located on a side of the principal structure which does not face a public way.
- b. Height: The maximum height of the SESA and all appurtenant equipment shall not exceed the maximum building height for the applicable zoning district.
- c. Size: The diameter of the SESA shall not exceed 24".
- d. Material: Unrestricted.
- e. Color: A color which blends with the natural surroundings of the site or immediately adjacent structure.
- f. Quantity: No more than one (1) SESA shall be permitted per principal structure.
- g. Screening: The SESA shall be so located that views of the system are obscured from public ways.

All Other Structures

Flat Roof: The SESA must be screened in full compliance with rooftop equipment screening requirements of the Village Code.

Peak, Pitched, Sloped Roofs: Installation on a peak, pitched, or sloped roof shall require an Architectural Review recommendation and Village Board approval.

3. Wall Mounted: Wall mounted antennas shall be permitted for a single family detached residence only as regulated below.

- a. Location: Any facade of a building which does not face a public way.
- b. Height: The maximum height of the SESA and all appurtenant equipment shall not exceed the maximum building height for the applicable zoning district.
- c. Size: Maximum size of the reflector element shall be 24" in diameter.
- d. Material: May be of solid construction.
- e. Color: A color which blends with the adjacent wall to which it is attached and shall otherwise blend with the natural surroundings of the site. In no instance

shall the wall mounted antenna be of a contrasting color with the wall to which it is attached.

- f. Quantity: Not more than one (1) wall mounted antenna shall be allowed per principal structure.
- g. Screening: Not required.

D. Permit Requirements

1. Application: Any person wishing to install a satellite earth station antenna shall submit a complete application for a building permit on a form provided by the Department of Community Development for review, approval and issuance prior to installation. Said application shall be accompanied by three (3) complete sets of the documents and plans outlined below. No building permit shall be granted for a satellite earth station antenna unless all regulations pertaining to the installation are in compliance with the applicable Village Code regulations.
2. Plat of Survey or Rooftop Equipment Plan: An accurate plat of survey of the lot in question indicating the proposed location of the satellite earth station antenna, all structures on the subject property, location and name of all immediately adjacent streets, location of the principal structure on immediately adjacent properties and existing vegetation on the subject property or a rooftop equipment plan drawn to scale.
3. Reflector Element Projections: The projections of the reflector element at extremes of the satellite band to be viewed in order to depict the reception lanes. This requirement will be satisfied by drawing radial lines from a point representing the pivot point of the SESA to each end of the satellite band and then drawing a line perpendicular to each radial at a distance between the rim of the reflector element to the pivot point. Each perpendicular line should be scaled to the diameter of the reflector element to show its maximum projection on the plan at the extremes of its satellite scan. Compass directions will be adequate for this requirement.
4. Plans/Specifications/Cut Sheets
 - a. Plans and specifications for the entire installation including elevations, SESA configuration, mount, foundation, electrical wiring and any motorization, or other proposed housing. Plans and specifications must be certified by the preparer to comply with all applicable Village Codes and must be drawn to scale.
 - b. Manufacturer's installation instructions and requirements.
 - c. Structural Engineer Design Criteria Drawings and Calculations stamped by an Illinois Licensed Structural Engineer must be submitted if required by the Department of Community Development for rooftop installations.
5. Landscape Plan: Landscape plan for screening the installation from the view of neighboring properties and public and private streets as required for ground mounted installations.

E. Variations

1. **Administrative Variations:** Where there are practical difficulties in carrying out the requirements of this Section which prevent reception, the applicant may submit a written request for consideration of an Administrative Variation to the requirement(s). Said request shall be submitted to the Department of Community Development and shall detail the specific code requirement(s) and how reception is prevented. The Department of Community Development shall review the request.

In the event a hardship occurs in meeting the strict application of these regulations as they pertain to adequate reception only, the Department of Community Development shall be authorized to grant an administrative variation provided the following is substantiated:

- The specific hardship that exists.
- The requested variation is in keeping with the spirit of this Section and the public health, welfare, and safety.

The Department of Community Development may, at the applicant's expense, choose to hire an independent consultant to verify that adequate reception would not be possible if the strict application of the requirements were applied.

Specific reasons for granting an Administrative Variation shall be provided in writing and shall be attached to the permit issued for the applicable antenna. The Administrative Variation shall be identified by the appropriate Village Code Section and the specific allowance shall be indicated on the permit.

2. **All Other Zoning Variations:** In the event the person charged with administering the provisions of this Section determines that a requested variation is not based solely on the provision for adequate reception, a recommendation from the Zoning Board and a zoning variation approved by the Mayor and Board of Trustees must be granted prior to a building permit being issued to install said antenna.

F. **Appeals:** The Village Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the person charged with the enforcement of this Section. (amd. entire section 6-3-13 Ord. 95-1380-10, eff. 2/13/95)

6-3-14: SALES ACTIVITIES; VENDING AND ICE MACHINES

All sales activities conducted in all zoning districts, including sales from vending machines and ice machines, shall be conducted within completely enclosed buildings. In addition, no vending machine or ice machine shall be stored or displayed outside a completely enclosed building in any zoning district. The restrictions of this Section shall not apply to news racks which are covered by the provisions of Chapter 5 of Title 8 of this Code. (Ord. 90-1178-62) The restrictions of this Section shall not apply to Temporary Uses which shall be regulated by the provisions of Section 6-3-6 of this Code.

6-3-15: OUTDOOR LIGHTING:

A. **Application:** These regulations shall govern the design and operation of all outdoor luminaires in all nonresidential zoning districts and by all non-residential uses in all residential zoning districts. However, to promote safety in the ordinary and intended use of rights-of-way these regulations shall not apply to any luminaires owned and operated by a State or local highway authority for the purpose of illuminating the right-of-way.

- B. Light Intensity: Any permitted outdoor luminaire shall be so designed, arranged and operated so as to mitigate the amount of light and glare being cast onto any adjacent property or street. No outdoor luminaire, regardless of the zoning lot onto or from which it causes illumination, shall produce an intensity in excess of one-half (0.5) footcandles, as measured at the property line at a height of 60 inches above grade in a plane at any angle of inclination.
- C. Installed Luminaire Height: The installed height of any luminaire used for outdoor lighting on any zoning lot shall not exceed 25 feet from the established grade. (Ord. 08-3049-32, eff. 08/11/08)

6-3-16: ADULT USE CANNABIS BUSINESS ESTABLISHMENTS

- A. All Adult Use Cannabis Business Establishments, as defined in Section 6-2-2 of this Title, are prohibited. No person shall locate, operate, own, suffer, allow to be operated, aide, abet, or assist in the operation of an Adult Use Cannabis Business Establishment within the Village's corporate limits. Adult Use Cannabis Business Establishments do not include Medical Cannabis Cultivation Centers or Medical Cannabis Dispensary Organizations as set forth in Section 6-2-2 of this Title.

FINDINGS OF FACT

On An Application for a Text Amendment regarding Massage Businesses

Mayor and Board of Trustees
Village of Lincolnshire
1 Olde Half Day Road
Lincolnshire, IL 60069

Honorable Mayor and Board of Trustees:

We transmit for your consideration a **favorable recommendation** vote by the Zoning Board of the Village of Lincolnshire to recommend approval of the application for a text amendment related to massage businesses. The text amendment would allow massage businesses only as a special accessory use in the R5, B, E, and O/I zoning districts.

Following due notice, as required by the Title 6 (Zoning) of the Lincolnshire Village Code, the Zoning Board held a virtual public hearing on August 11, 2020. Upon having reviewed materials submitted by staff and a staff memorandum with attachments prepared by the Community & Economic Development Department, and having heard Village staff comments and the sworn testimony of all interested parties desiring to be heard at the public hearing, the Zoning Board deliberated and reached the following Findings of Fact:

Standards

1. The request for an amendment shall serve the purpose of promoting the public health, safety, and general welfare because:

The regulation of the location where massage businesses can operate will help prevent the secondary effects which tend to arise from uncontrolled massage businesses, including illegal solicitation and prostitution.

2. The request for an amendment shall conserve the value of property throughout the community because:

The mitigation of any negative secondary effects from massage businesses will preserve the value of property throughout the community.

3. The request for an amendment shall lessen or avoid congestion in the public streets and highways because:

The amendment will not affect the amount of vehicle trips on public streets.

***Chair Brian Bichkoff and Members of the Zoning Board
August 11, 2020***

Notice of Public Hearing

office is hereby given that the Zoning Board of the Village of Lincolnshire will conduct two Public Hearings on **Tuesday, March 10, 2020** beginning at 7:00 p.m., or as soon thereafter as practical, in the Board Room of the Lincolnshire Village Hall, 1 Olde Half Day Road, Lincolnshire, Illinois 60069, to consider the following:

A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5A (R1, R2, and R3 Single-Family Residence Districts), 5B (R2A Single-Family Residence District), and 6B (B2 General Business District) of Title 6 (Zoning) of the Lincolnshire Village Code, to define and regulate certain accessory structures and uses, including greenhouses, hoop houses, the harboring of chickens on residential property, and the harboring of bees on nonresidential property.

A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5D (Mixed Use General Residence District), 6A (B1 Retail Business District), 6B (B2 General Business District), 6C (E Small Scale Office District), and 8 (Office/Industrial District) of Title 6 (Zoning) of the Lincolnshire Village Code to define and regulate massage therapy businesses as special accessory uses.

The petitioner for both applications is the Village of Lincolnshire. The project files are available for viewing in the Community & Economic Development Department of the Village of Lincolnshire during normal business hours to any interested persons who wish to obtain additional information regarding this request. All interested persons present at the Public Hearings will be given an opportunity to be heard. Interested parties may also submit written evidence or testimony in advance to the Community & Economic Development Department. The above indicated hearings may be continued from time to time and without further notice, on the motion of the Zoning Board.

/ Brian Bichkoff, Chair
Zoning Board, Village of Lincolnshire
2/21/2020
published in Daily Herald February 24, 2020 (4541140)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of

Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 02/24/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Danula Baltz*
Authorized Agent

Control # 4541140

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Board of the Village of Lincolnshire will conduct Public Hearings on **Tuesday, August 11, 2020**, beginning at 7 p.m., or as soon thereafter as practical, in a virtual/remote meeting, to consider the following applications:

1. A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5A (R1, R2, and R3 Single-Family Residence Districts), 5B (R2A Single-Family Residence District), and 6B (B2 General Business District) of Title 6 (Zoning) of the Lincolnshire Village Code, to define and regulate certain accessory structures and uses, including greenhouses, hoop houses, the harboring of chickens on residential property, and the harboring of bees on nonresidential property.

2. A text amendment to revise Chapters 2 (Zoning Definitions), 3 (General Zoning Regulations), 5D (Mixed Use General Residence District), 6A (B1 Retail Business District), 6B (B2 General Business District), 6C (E Small Scale Office District), and 8 (Office/Industrial Districts) of Title 6 (Zoning) of the Lincolnshire Village Code to define and regulate massage therapy businesses as special accessory uses.

The petitioner for both applications is the Village of Lincolnshire. The project files are available for viewing in the Community & Economic Development Department of the Village of Lincolnshire during normal business hours to any interested persons who wish to obtain additional information regarding these applications. All interested persons participating in the Public Hearings will be given an opportunity to be heard. Interested parties may also submit written evidence or testimony in advance to the Community & Economic Development Department. The above indicated Public Hearings may be continued from time to time and without further notice, on the motion of the Zoning Board. Below are remote public participation options:

View/Listen

- o Watch live on Cable Channel 10 or <https://global.gotomeeting.com/join/573024269>.
- o Listen live via phone at 312-757-3121 (access code 573-024-269).

Public Comment & Testimony

o Call 847-913-2312 to leave a voicemail message with your comment by 5:00 p.m. on Tuesday, August 11, 2020. For members of the public leaving voicemails, the voicemails must be:

Inclusive of the commenter's name, organization/agency being represented, address (street, city, state), phone number, and the topic or agenda item number the commenter is addressing.

- o No more than two minutes in length.
- o Free of any abusive or obscene language.

o Email your comment to VOLPublicComment@lincolnshireil.gov by 5:00 p.m. on Tuesday, August 11, 2020. You may also submit a letter by dropping it off in the Village Hall vestibule or mailing it to 1 Old Half Day Road, Lincolnshire, IL 60069 via the United States Postal Service. For members of the public submitting comment via email or letter, the written notice must be:

Typed or written legibly.
Inclusive of the commenter's name, organization/agency being represented, address (street, city, state), phone number, and the topic or agenda item number the commenter is addressing.

Free of any abusive or obscene language.

- o Comments received before the meeting will be read/played concurrent with respective agenda item.
- o Participants who register to participate in the GoTo-Meeting web conference will be given an opportunity to present public comment, evidence, or testimony during the Public Hearing. Participants who wish to submit documents as evidence must submit such documents by mail or email to VOLPublicComment@lincolnshireil.gov no later than 5:00 p.m. two (2) days prior to the date of the Public Hearing.

/s/ Brian Bichkoff, Chair
Zoning Board
Village of Lincolnshire
07/23/2020

Published in Daily Herald July 25, 2020 4549093

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of

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Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn,
East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake,
Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake,
Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods,
Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake,
Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich,
Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery,
Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake,
Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods,
Rolling Meadows, Rosemont, Round Lake, Round Lake Beach,
Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow,
St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills,
Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood,
Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 07/25/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Danula Baltz*
Authorized Agent

Control # 4549093

Ben Gilbertson

From: Nancy Slatin <nancy@slatinassociates.com>
Sent: Saturday, August 8, 2020 8:51 AM
To: VOLPublicComment
Subject: Zoning Commission - Backyard Chickens

Dear Commissioners,

The pandemic has severely disrupted our supply chain. Allowing backyard chickens is just another way we can be more self-sufficient. This movement is akin to growing one's own organic vegetables or baking sourdough bread. Given that we are on half acre lots, we have the space to raise chickens without disruption to neighbors.

I hope the Zoning Commission would recommend a pilot program so that those interested residents could raise backyard chickens for their eggs.

Nancy Slatin
12 Fox Trail
Lincolnshire