

**Item #1:**  
**Report Of The PCZBA Meeting**



**MEETING AGENDA OF THE  
PLAN COMMISSION & ZONING BOARD OF APPEALS  
REGULAR MEETING**

**Tuesday, October 4, 2011 at 7:00 P.M.**

**Village Hall, 3110 OLD MCHENRY ROAD LONG GROVE, ILLINOIS**

**MEETING  
PROCEDURES**

Plan Commission meeting follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chair.

1. Introduction of item by the Chair.
2. Village Staff's summary of Petition.
3. Presentation by the Petitioner.
4. Public Testimony and Comment.
5. Cross-Examination.
6. Response by the Petitioner.
7. Questions by the Commission.
8. Commission Discussion and Deliberation.
9. Commission Action.

1. **Call to Order.**
2. **PUBLIC HEARING; Continuation;** consideration of a request for amendment of an existing Special Use Permit and/or additional relief necessary and/or appropriate under the zoning code to allow co-location of wireless communications antenna on an existing monopole tower on property located at 5105 Arlington Heights Road and zoned under the R-2 District classification submitted by Mr. Mike Bieniek on behalf of AT&T Corporation.
3. **PUBLIC HEARING; Continuation;** consideration of a request for a Special Use Permit for the continued operation & maintenance and/or additional relief necessary and/or appropriate under the zoning code to allow co-location of wireless communications antenna and related facilities on an existing monopole tower on property located at 4211 Old McHenry Road and zoned under the R-1 District classification submitted by Mr. Mike Bieniek on behalf of AT&T Corporation.
3. **PUBLIC HEARING; Continuation;** consideration of a request for amendment of an existing Special Use Permit and/or additional relief necessary and/or appropriate under the zoning code to allow co-location of wireless communications antenna on an existing monopole tower on property located at 9109 Oakwood Road (a.k.a Gridley Ball fields) and zoned under the OS-P District classification submitted by Mr. Mike Bieniek on behalf of AT&T Corporation.
4. **PUBLIC HEARING – Continuation;** Consideration of amendment(s) to the Village Code for the Village of Long Grove, and specifically Title 5, Zoning Regulations, including without limitation modifications to the regulations regarding the keeping of poultry (chickens) within residential zoning districts in the Village of Long Grove, Illinois.
5. **PUBLIC HEARING;** Consideration of a request for amendment(s) to the Village Code for the Village of Long Grove, and specifically Title 5, Chapter 9, Section 5-9-5 "Signs" of the Zoning Regulations, including without limitation modifications to the regulations regarding signage in the Village of Long Grove, Illinois.
6. **Approval of Minutes; September 20, 2011 Special Meeting**
7. **Other Business; None**
8. **Adjournment:**

**Next Regular Meeting – November 1, 2011 - Village Board  
Representative; (10/11) Commissioner Parr**

The Village of Long Grove is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to phone David Lothspeich, Long Grove Village Manager at 847-634-9440 or TDD 847-634-9650 promptly to allow the Village of Long Grove to make reasonable accommodations for those persons.

**Item #1:**  
**Report Of The October 4, 2011 PCZBA Meeting**  
**D. Amendments To Code Re: Poultry In Residential Areas**



## MEMORANDUM

TO: Village of Long Grove Planning Commission & Zoning Board of Appeals  
FROM: JAMES M. HOGUE, Village Planner  
DATE: September 28, 2011  
RE: Ordinance Amendment – Keeping of Fowl (Chickens)

### History

At the September 20<sup>th</sup> Special Meeting the PCZBA held a public hearing regarding the keeping of fowl (chickens) in residential zoning districts. The PCZBA continued the hearing to the October 4<sup>th</sup> meeting and directed staff to prepare an ordinance amendment regarding the keeping of chickens.

### Areas of Existing Code to be Amended

At a minimum the following areas of the Zoning and Village Code need to be amended;

- 1). Expanded Agricultural Uses Definition; (Title 5; Zoning Code)
- 2). 5-1-9 Accessory Structures and Uses; (Title 5; Zoning Code)
- 3). 5-9-10 Expanded Agricultural Uses; (Title 5; Zoning Code)
- 4). Title 10; Chapter 4 of the Village Code; Animal Care Regulations

### Draft Regulations Regarding the Keeping of Chickens

Attached are two similar (one blue line & one red line) but different drafts of the possible regulations for the keeping of chickens in residential areas. Ideally a single draft would have been presented for PCZBA consideration but time constraints have made that option unfeasible. The two drafts do allow the PCZBA to “mix & match” however with regard to the draft regulations. The PCZBA may also include other regulations as deemed necessary which have not included in either draft.

## Policy Issues

Several policy issues have been identified which need to be resolved before a “final” draft may be considered. More issues may be identified as part of this process; however staff has identified these thus far;

- Should the minimum separation between principal and accessory structures be waived for chicken enclosures (coops)?
- Should a tiered approach tied to acreage (as with horses) and the number of birds to be kept be implemented or should a maximum number of birds be established and the animal variation process (currently 10-4-16-1 of the Village Code) be implemented for lots under 2 acres and/or more birds?
- Should additional setback requirements for chicken enclosures (coops) be established with feet and percentages or are the present setbacks for the zoning districts and/or accessory structures adequate for these enclosures?
- Should a maximum coop size and chicken run area be established or should birds be confined to the owner’s property and coops be treated as any other accessory structure?
- Should language be added to allow roosting platforms to be at least three feet in height to accommodate walk-in coops?
- Should free grazing be allowed under owners’ supervision or should birds be confined to coops and runs?
- Should enclosures and runs be lockable to deter predators?
- Should additional screening requirements be imposed?

It is anticipated that discussion of these issues (and possibly others) as well as the draft ordinance regulations will occur. A recommendation to the Village Board may (or may not) occur at this pending the outcome of these discussions.

The public hearing has been continued to this meeting date. Additional input from the public may be considered as well.

Should you have any questions or concerns feel free to contact me at (847) 634-9440.

## 5-12-13 Definitions:

\* \* \*

EXPANDED AGRICULTURAL USES: The raising of livestock and poultry (except for chickens as an accessory use in residential zoning districts as provided for in this code), research and experimental farms and all activities incidental thereto, greenhouses, nurseries, apiaries, dog kennels, and the on the premises selling of the products raised thereon.

## 5-9-1: ACCESSORY STRUCTURES AND USES (excerpt):

(A) Authorization: Subject to the limitations of this section, and except as limited by the regulations of the district where located, accessory structures and uses are permitted in any zoning district in connection with any principal use lawfully existing within such district.

(B) Definition: An "accessory structure or use" is a structure or use that:

1. Is subordinate in purpose, use, and floor area to, and serves, a principal structure or use; and
2. Is customarily incident to such principal structure or use; and
3. Contributes to the comfort, convenience, or necessity of those occupying, working at, or being served by such principal structure or use; and
4. Except as otherwise expressly authorized by the provisions of this title, is located on the same zoning lot as such principal structure or use; and
5. Is under the same ownership and control as such principal structure or use.

(C) Certificate Of Zoning Compliance Required: When required by section 5-11-11 of this title, a certificate of zoning compliance evidencing the compliance of the accessory use or structure with the provisions of this title shall be obtained before any such accessory use or structure is established or constructed.

(D) Special Regulations Applicable To Particular Accessory Structures And Uses:

1. Pro Shops: The sale of sports equipment and the serving of food and beverages, including alcoholic beverages if licensed by the village, shall be permitted as an accessory use to a recreational club.

2. Guesthouses: A guesthouse shall be a permitted accessory use, provided that it contains no more than eight hundred fifty (850) square feet of livable area and complies with all the setback requirements of a principal building as set forth in the applicable zoning classification. There shall not be more than one guesthouse for each principal dwelling unit on a lot. A guesthouse shall be considered an accessory use to the principal dwelling unit. A guesthouse may only be located on a lot that includes the principal dwelling unit and that is three (3) acres or larger. A guesthouse may not be owned by anyone other than the owner of the principal dwelling unit.

3. Residential Recreational Facilities: Residential recreational facilities such as tennis courts, playing courts, and swimming pools shall be permitted accessory uses, provided that no portion of the recreational facility shall be located between the setback line and the lot lines established by the applicable zoning district regulations or any recorded plat of subdivision. No part of a tennis court, playing court, or swimming pool shall be located between the front line of the dwelling located on the same lot as the court or pool and any street abutting said lot. For the purpose of this section, the front line of any dwelling shall be drawn parallel to any road abutting the lot and intersecting the point of the dwelling located the closest to the road. A tennis court or playing court shall not be built over a septic system. A tennis court or playing court shall not be lighted for playing purposes. Swimming pools and tennis courts shall be so designed as to not cause a drainage problem.

4. Outdoor Storage: Except as otherwise expressly permitted by this title, outdoor storage shall not be allowed as an accessory use.

5. Horses And Ponies: The keeping of horses and ponies shall be permitted only as accessory to a residential use on the same lot, subject to the provisions of section 10-4-15 of this code.

\* \* \*

10. Chickens: The keeping of chickens (but no other poultry or fowl) shall be permitted only as accessory to a residential use on the same lot, subject to the provisions of sections 10-4-17 of the Village Code. Notwithstanding section 5-3-12 of the Village Code, chicken enclosures may be located within 20 feet (20') of a principle structure. All chicken enclosures must meet the minimum setback requirements of (i) \_\_\_\_\_ feet or \_\_\_\_\_ % of lot width, whichever is greater for side yards, and (ii) \_\_\_\_\_ feet or \_\_\_\_\_ % of lot depth, whichever is greater, for rear yards.

### **5-9-10: EXPANDED AGRICULTURAL USES (excerpt):**

(A) Purpose: The purpose of this section is to regulate business uses, business developments, and business activities under the definition of expanded agricultural use contained in section 5-12-13 of this title. These regulations shall apply within any zoning district which permits agricultural uses.

(B) Procedure: A special use permit must be obtained to operate expanded agricultural uses on a lot. The procedures and requirements for special uses contained in section 5-11-17 of this title shall apply.

(C) Uses: The following uses are allowed as expanded agricultural uses:

1. Raising of livestock and poultry, and all activities incidental thereto, except that chickens may also be kept as an accessory use in residential zoning districts subject to the provisions of sections 5-9-1 and 10-4-17 of the Village Code.

2. Nurseries, including the business of landscape architect and landscape contracting. Permitted nursery uses include the following:

(a) Office and design facilities.

(b) Storage facilities for nursery and landscape contracting equipment such as trucks, tractors, hand tools and the like, storage of plant materials, including materials purchased from other nurseries

and related materials such as soil, sand, gravel, brick, concrete blocks, peat moss, grass seed, fertilizer, stone, tile, lumber and boulders.

(c) On site sales of plants grown on the lot.

(d) On site or off site sale of landscape contracts for the furnishing and installing of plants and related materials and for related services such as tree trimming and maintenance. The burning of waste materials brought onto the premises shall be prohibited.

3. Experimental farms.

\* \* \*

## Chapter 4 ANIMAL CARE REGULATIONS

**10-4-1: PERSON DEFINED:**

**10-4-2: ANIMAL NECESSITIES:**

**10-4-3: PROHIBITED ACTS:**

**10-4-4: DEAD ANIMALS:**

**10-4-5: DISPOSITION OF DEAD ANIMALS:**

**10-4-6: ARTIFICIALLY COLORED ANIMALS:**

**10-4-7: WILD ANIMALS:**

**10-4-8: DESTRUCTION OF DANGEROUS ANIMALS:**

**10-4-9: NOTICE OF ANIMAL BITE:**

**10-4-10: DISRUPTIVE ANIMALS:**

**10-4-11: ANIMAL CARE FACILITIES:**

**10-4-12: BUSINESS USE OF ANIMALS:**

**10-4-13: REGULATION OF DOGS AND CATS:**

**10-4-14: OWNER'S RESPONSIBILITY:**

**10-4-15: HOOFED ANIMALS:**

**10-4-16: APPLICABILITY:10-4-16: PRE-EXISTING USES:**

**10-4-17: CHICKENS IN RESIDENTIAL ZONING DISTRICTS:**

**10-4-16-1: VARIANCES:10-4-18:VARIANCES:**

**10-4-1: PERSON DEFINED:**

For the purposes of this chapter, whenever the term "person" shall appear in this chapter, said term shall mean and include any individual, corporation, partnership, association or other legal entity. (Ord. 80-O-20, 11-25-1980)

**10-4-2: ANIMAL NECESSITIES:**

Every person owning, harboring, keeping or caring for an animal shall provide the following for said animal:

- (A) A sufficient quantity of wholesome food and water.
- (B) Adequate shelter and protection from weather.
- (C) Veterinary care when necessary to prevent suffering or to cure illness.
- (D) Humane care and treatment. (Ord. 80-O-20, 11-25-1980)

### **10-4-3: PROHIBITED ACTS:**

No person shall do any of the following acts to an animal:

- (A) Beat, treat cruelly, torment, overload, overwork or otherwise abuse any animal.
- (B) Abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
- (C) Fail to provide any animal with proper food, water, air and sanitary shelter. A shelter shall be deemed adequate if it is sufficient to provide natural light or artificial light and protection from the weather and is of such a size so that the animal can stand in an upright position and can also lie down stretched out so that no part of its body touches the sides of the shelter structure or touches any part of the bodies of any other animals within the same shelter.
- (D) Leave any animal unattended in a motor vehicle, trailer or other enclosure when outside temperatures are in excess of eighty degrees Fahrenheit (80°F), in such a manner that the animal does not have adequate air circulation.
- (E) Promote, conduct or stage any animal fights or other type of contest, game or fight of similar nature nor simulate a version of the same that may involve baiting and inciting an animal to fight. This prohibition does not pertain to fishing. (Ord. 80-O-20, 11-25-1980)

### **10-4-4: DEAD ANIMALS:**

No person shall allow any dead animal or animals inflicted with a contagious disease to be present in any public place nor shall any person keep or harbor any animal which is infected with any disease which is contagious to other animals or persons nor shall any person keep or harbor any animal afflicted with any painful disease, injury or parasite unless the animal is under the care of a licensed veterinarian.

- (A) No diseased animal shall be shipped or removed from the premises of its owner except under the supervision of a licensed veterinarian or the Lake County Health Department.
- (B) Any animal which is in or on any public way or within any public place and which is severely injured or diseased and for which care is not being provided shall be removed by the Lake County Health Department or by the village superintendent or his designated agent to the nearest veterinary hospital willing to accept the animal or in the alternative to the nearest humane society shelter or in the alternative to the Lake County Health Department for proper treatment or disposal. This shall be done unless the owner can be identified and assumes responsibility for the removal and care of the animal. (Ord. 80-O-20, 11-25-1980)

#### **10-4-5: DISPOSITION OF DEAD ANIMALS:**

No person shall leave in or throw into any public way, public place, public body of water, or expose or bury within the village the body of any or any part thereof of any dead animal. Nor shall any dead animal be kept in a place where it is deleterious to the health of any person or other animal. (Ord. 80-O-20, 11-25-1980)

#### **10-4-6: ARTIFICIALLY COLORED ANIMALS:**

No person shall bring into the village, sell, offer for sale, barter or display living baby chicks, ducklings, goslings, or other fowl, rabbits, or any other animals which have been dyed, colored or otherwise treated so as to have an artificial color. (Ord. 80-O-20, 11-25-1980)

#### **10-4-7: WILD ANIMALS:**

No person shall possess, keep or maintain any wild, dangerous, nondomesticated animal or animals (ferae naturae) including wild animals native to the state of Illinois; provided however, that persons licensed by the state of Illinois or the Federal Government may possess wild animals in accordance with the terms of the license issued; and further provided, that none of the foregoing shall prohibit commerce in poultry for agricultural and foodstuff purposes. (Ord. 80-O-20, 11-25-1980)

#### **10-4-8: DESTRUCTION OF DANGEROUS ANIMALS:**

The village manager, the village superintendent, the Lake County Health Department, and any peace officer of the state of Illinois or Lake County or any municipality situated within Lake County is hereby authorized and directed to kill any dangerous animal when necessary to protect any person or property within the village. (Ord. 80-O-20, 11-25-1980; amd. Ord. 90-O-37, 11-13-1990)

(A) Remains of any animal so killed must be transported to a licensed veterinarian for proper examination and autopsy.

(B) In the event any animal so killed had previously bitten or scratched any person no more than fourteen (14) days prior to the death of the animal, the body shall be submitted to a test by a licensed veterinarian for the presence of rabies disease. (Ord. 80-O-20, 11-25-1980)

#### **10-4-9: NOTICE OF ANIMAL BITE:**

No person who is an owner of an animal, after receipt of notice that the animal has bitten or scratched any person, shall sell, give away or otherwise dispose of the animal, or allow the animal to leave the territory of the village unless and until the owner has delivered the animal to a licensed veterinarian for the administration of a rabies test. The animal shall be impounded in accordance with Lake County Health Department standards. (Ord. 80-O-20, 11-25-1980)

#### **10-4-10: DISRUPTIVE ANIMALS:**

No person shall harbor or keep any animal which repeatedly disturbs the peace and quiet of the neighborhood by making loud noises. (Ord. 80-O-20, 11-25-1980)

#### **10-4-11: ANIMAL CARE FACILITIES:**

No person shall purchase, sell, dedicate or maintain any property for the purpose of an animal care

center comparable to a zoo, with the exception of a licensed veterinarian or a person licensed to maintain animals by the state of Illinois or the United States Government; and further provided, that said person shall have received from the village board a special use permit therefor. (Ord. 80-O-20, 11-25-1980)

#### **10-4-12: BUSINESS USE OF ANIMALS:**

No animal shall be kept or maintained for business purposes except for agricultural uses in accordance with the zoning regulations of the village<sup>1</sup>; provided, that horses may be maintained in approved equestrian centers and animals may be maintained in veterinary clinics in the normal course of business. (Ord. 80-O-20, 11-25-1980)

#### **10-4-13: REGULATION OF DOGS AND CATS:**

The licensing laws of Lake County shall be deemed to be in full force and effect within the village. (Ord. 80-O-20, 11-25-1980)

#### **10-4-14: OWNER'S RESPONSIBILITY:**

Whenever it comes to the attention of the owner of a dog or cat that the dog or cat has bitten or scratched any other animal or person, the owner of the animal shall immediately notify the Lake County health department and the village superintendent and shall further submit the animal to a licensed veterinarian for impoundment and for the administration of a rabies test in accordance with Lake County health department regulations; and provided further, that the animal shall be examined by the licensed veterinarian immediately after it being submitted and ten (10) days thereafter to determine whether or not the animal is infected by rabies disease. (Ord. 80-O-20, 11-13-1980)

#### **10-4-15: HOOFED ANIMALS:**

(A) Hoofed animals shall not be housed or maintained on parcels of land consisting of less than two (2) acres. Subject to the terms of this section, hoofed animals may be maintained on a parcel of land consisting of two (2) acres and additional hoofed animals may be maintained for every additional half acre of land which is part of the parcel. For example:

1. Two (2) acres, four (4) hoofed animals.
2. Two and one-half ( $2\frac{1}{2}$ ) acres, five (5) hoofed animals.
3. Three (3) acres, six (6) hoofed animals.
4. Three and one-half ( $3\frac{1}{2}$ ) acres, seven (7) hoofed animals.
5. Four (4) acres, eight (8) hoofed animals, etc.

Notwithstanding any provision in this section to the contrary, pigs, hogs, or any other kind of swine shall not be housed, maintained, or boarded within the village limits.

For the purpose of this section, acreage computations to satisfy the above described minimum acreage per animal shall specifically exclude areas situated within the floodplain or conservancy districts as defined in subsections 7-5-3(B) and 7-5-4(B) of this code. In addition, for the purposes of this section, the computation of acreage required shall include only that acreage that is devoted

exclusively for the purposes of keeping hoofed animals as evidenced by fencing or similar enclosures. Except for paddock areas for horses, the area devoted to the keeping of hoofed animals shall be set back at least two hundred fifty feet (250') from any property line unless a variation is granted pursuant to section 5-11-15 of this code.

The boarding of hoofed animals is limited to properties for which a special use permit has been granted for expanded agricultural uses for the specific hoofed animals to be boarded and is prohibited on all parcels of land not physically occupied by the owner of said land.

- (B) All owners of horses shall provide a stall for each horse not less than ten feet by ten feet (10' x 10'), and an appropriate space for all other animals.
- (C) If an owner provides a mud lot, it: 1) must be within the acreage devoted exclusively for the purposes of keeping hoofed animals, 2) must be fenced and exclusive of vegetative pasture, 3) shall not exceed two thousand five hundred (2,500) square feet, and 4) shall be maintained in such a fashion as to minimize erosion.
- (D) No mud lot may be situated less than one hundred fifty feet (150') from any residence and suitable bush screening is required between the mud lot and any lot line.
- (E) All animal waste which is stored must not be stored less than fifty feet (50') from any adjacent parcel. No animal waste shall be stored closer than one hundred fifty feet (150') from any occupied residence nor may animal waste be stored within any required setback area for the parcel upon which the hoofed animal is kept. In addition, all animal waste must be removed on a regular basis at reasonable times so as not to constitute a health hazard.
- (F) All hoofed animals must be kept in a sanitary environment and be treated in a humane fashion and they must be cared for so as to maintain them in good health.
- (G) All parcels of land upon which hoofed animals are boarded are subject to the inspection of the village superintendent or his designated agent.
- (H) A horse shelter shall be provided for all horses and the construction of the shelter shall be in a form approved by the building committee.
- (I) ~~(H)~~ In addition to any fines resulting from violations of this section, any person who repeatedly violates the terms of this chapter shall be barred, at the election of the village board, from maintaining any hoofed animals on his property. (Ord. 2009-O-02, 1-27-2009)

#### **10-4-16: APPLICABILITY PRE-EXISTING USES :**

- (A) Persons who, at the time of passage date ~~hereof, own~~ of Ord. 80-O-20, owned and ~~board~~ boarded animals and ~~have had~~ more animals than allowed by this chapter shall be allowed to maintain the ~~present~~ then current number of animals. Persons who, at the time of passage date ~~hereof, own~~ of Ord. 80-O-20, owned and ~~board~~ boarded animals in shelters which do not conform with requirements of this chapter shall be allowed to continue to board the animals in the shelters; provided, that said persons do not increase the number of animals in any nonconforming shelter above the number presently kept in said shelters. All persons otherwise subject to this section shall fully comply with all other provisions of this chapter.

- (B) Any person who, at the time of passage ~~date hereof, of Ord. 80-O-20,~~ owned and boarded animals more than allowed by the terms of this chapter who are therefore allowed to continue to maintain the same number of animals pursuant to the preceding subsection and who shall cease to own and/or board animals in excess of the maximum amount allowed by this chapter for a period in excess of one hundred eighty (180) days shall thereafter be barred from owning and/or boarding more animals than otherwise allowed by this chapter and shall thereafter be required to fully conform with all of the terms of this chapter controlling the maximum number of animals that may be owned and/or boarded.
- (C) All persons who, at the time of passage ~~date hereof, own~~ of Ord. 80-O-20, ~~owned~~ and/or ~~board~~ boarded animals within shelters which ~~did~~ not conform with the requirements of this chapter, but who are allowed to continue to own and/or board animals in such shelters because of the preceding paragraphs and who fail to own and/or board animals in said nonconforming shelters for a period in excess of one hundred eighty (180) days shall thereafter be required to own and/or board animals within shelters that conform with this chapter and be barred from owning and/or boarding animals within any such nonconforming shelter which has not been utilized for the one hundred eighty (180) day period. (Ord. 80-O-20, 11-25-1980)

**10-4-16-1: VARIANCES: 17: CHICKENS IN RESIDENTIAL ZONING DISTRICTS:**

(A) Keeping of Chickens: The keeping of chickens (but no other poultry or fowl) shall be permitted as an accessory use to a residential use and on the same lot or parcel as the principal residential use, within a residential zoning district, subject to the provisions of sections 5-9-1 and 10-4-17 of the Village Code.

(B) Number: The following number of chickens shall be allowed on a lot:

<u>Lot Size</u>	<u>Number of Chickens Allowed</u>
<u>Greater than 2 acres</u>	<u>6 birds + 2 additional birds for each 1/2 acre over 2 acres</u>
<u>1.5-2 acres</u>	<u>6 birds</u>
<u>1-1.5 acres</u>	<u>4 birds</u>
<u>Less than 1 acre</u>	<u>2 birds</u>

For the purpose of this section, lots and/or parcels, developed as residential Planned Unit Development (PUD) shall be considered as a residential zoning district and subject to these regulations provided the approval ordinance for such a PUD does not prohibit or further restrict the keeping of chickens as part of that approval. In the case of conflict between an approved PUD ordinance and this section of the Village Code, the stricter of the two shall apply.

(C) Minimum Requirements: The keeping of chickens on lots or parcels of land within residential zoning districts shall be allowed as an accessory use and are subject to the following provisions:

- (1) Roosters shall not be permitted to be housed, kept or maintained as an accessory use.
- (2) All chickens must be kept in an enclosure that includes a lockable coop and fully fenced run.
- (3) Chickens may only graze outside of any such enclosure under the direct supervision of the occupant of the residence, and in all circumstances chickens shall be at all times confined to the same lot or parcel as the principal use.

- (4) Enclosures shall be treated as accessory structures per Title 5 of the Village Code.
- (5) Coops shall be located within the rear yard and behind the principal structure on any residential lot or parcel and constructed with roosting platforms that are at least three (3) feet above the ground surface.
- (6) Coops shall provide a minimum area of 3 square feet per bird, and runs shall provide a minimum of \_\_\_\_\_ square feet per bird.
- (7) Applicable building permits for coops and runs shall be required.
- (8) Enclosures and grazing areas shall be cleaned regularly and kept in a neat and sanitary manner at all times.
- (9) Slaughtering of chickens shall be prohibited.
- (10) Chicken feed shall be securely stored in sealed rodent proof containers.
- (11) On-site sale of eggs shall be prohibited.
- (12) All chickens, enclosures, and grazing areas must comply with all Village nuisance regulations, including but not limited to those directed toward animals, noise, odor, pests, cleanliness, and unsightliness.
- (13) Property owners shall install sufficient screening to minimize visibility of enclosures to the street and neighboring property owners.

(D) Variances: The keeping of chickens in a manner inconsistent with the requirements of this Section 10-4-17 may be considered within residential zoning districts subject to the following provisions:

- 1). The property owner shall follow the procedures for variance as identified in 10-4-18 of this chapter and successfully obtain a variance; and
- 2). The Planning Commission & Zoning Board of Appeals (PCZBA) may recommend and the Board of Trustees may impose conditions and limitations upon the premises or use that is the subject of such variance.

### **10-4-18 VARIANCES:**

Whenever the standards of this chapter place undue hardship on a property owner, the property owner may make application to the ~~zoning board of appeals~~Planning Commission & Zoning Board of Appeals (PCZBA) for a variance. The ~~zoning board of appeals~~PCZBA shall review the owner's request for variance and shall thereafter submit its recommendation to the village board.

(A) No variance shall be granted unless the owner demonstrates that:

1. The relief requested is the minimum necessary.
2. There will be no threat to public health or safety or creation of a nuisance.
3. The proposed variation will not result in the diminution of the quality of life for the animal or animals to be stabled or kept on the owner's property.
4. The animal or animals will be provided with adequate shelter and protection from weather.
5. The variation, if granted, will not prevent or impede human care and treatment of the animals.

- (B) A variance from the requirements of this chapter may be granted as requested if the proposed variation is in general conformity with the purpose of this chapter, and the variance may be granted on such terms and conditions as are appropriate to ensure adequate and humane care for the animals.

The ~~zoning board of appeals~~[PCZBA](#) may consider a request for variation under the provisions of this chapter at any regularly scheduled meeting. No legal notice or publication shall be required for an owner to obtain a hearing on a request under the terms of this provision; provided, however, that the applicant shall submit an affidavit demonstrating that applicant has sent a copy of the application to all property owners within two hundred fifty feet (250') of applicant's property fourteen (14) days before the zoning board of appeals meeting at which the application is to be considered.

- (C) The village board, upon receipt of the recommendation of the ~~zoning board of appeals~~[PCZBA](#), shall review the recommendation of the ~~zoning board of appeals~~[PCZBA](#) and then determine whether or not a variation as requested or as the board might deem appropriate to be modified shall be granted. In the event that the board determines that a variation shall be granted as requested or as modified in its discretion, it shall so grant the variation by adoption of an appropriate ordinance. (Ord. 86-O-33, 3-25-1986)

**Footnotes** - Click any footnote link to go back to its reference. [Footnote 1](#): See [title 5](#) of this code.

Proposed Amendments to the Village Code regarding the Keeping of Chickens

~~Strikethrough~~ indicates deletions; **Red text** indicates additions.

Definitions;

EXPANDED AGRICULTURAL USES: The raising of livestock and poultry (**except for chickens as an accessory use in residential zoning districts as provided for in this code**), research and experimental farms and all activities incidental thereto, greenhouses, nurseries, apiaries, dog kennels, and the on the premises selling of the products raised thereon.

Text Amendments;

**5-9-1: ACCESSORY STRUCTURES AND USES (excerpt):**

- (A) Authorization: Subject to the limitations of this section, and except as limited by the regulations of the district where located, accessory structures and uses are permitted in any zoning district in connection with any principal use lawfully existing within such district.
- (B) Definition: An "accessory structure or use" is a structure or use that:
1. Is subordinate in purpose, use, and floor area to, and serves, a principal structure or use; and
  2. Is customarily incident to such principal structure or use; and
  3. Contributes to the comfort, convenience, or necessity of those occupying, working at, or being served by such principal structure or use; and
  4. Except as otherwise expressly authorized by the provisions of this title, is located on the same zoning lot as such principal structure or use; and
  5. Is under the same ownership and control as such principal structure or use.
- (C) Certificate Of Zoning Compliance Required: When required by section 5-11-11 of this title, a certificate of zoning compliance evidencing the compliance of the accessory use or structure with the provisions of this title shall be obtained before any such accessory use or structure is established or constructed.
- (D) Special Regulations Applicable To Particular Accessory Structures And Uses:
1. Pro Shops: The sale of sports equipment and the serving of food and beverages, including alcoholic beverages if licensed by the village, shall be permitted as an accessory use to a recreational club.
  2. Guesthouses: A guesthouse shall be a permitted accessory use, provided that it contains no more than eight hundred fifty (850) square feet of livable area and complies with all the setback requirements of a principal building as set forth in the applicable zoning classification. There shall not be more than one guesthouse for each principal dwelling unit on a lot. A guesthouse shall be considered an accessory use to the principal dwelling unit. A guesthouse may only be located on a

lot that includes the principal dwelling unit and that is three (3) acres or larger. A guesthouse may not be owned by anyone other than the owner of the principal dwelling unit.

3. Residential Recreational Facilities: Residential recreational facilities such as tennis courts, playing courts, and swimming pools shall be permitted accessory uses, provided that no portion of the recreational facility shall be located between the setback line and the lot lines established by the applicable zoning district regulations or any recorded plat of subdivision. No part of a tennis court, playing court, or swimming pool shall be located between the front line of the dwelling located on the same lot as the court or pool and any street abutting said lot. For the purpose of this section, the front line of any dwelling shall be drawn parallel to any road abutting the lot and intersecting the point of the dwelling located the closest to the road. A tennis court or playing court shall not be built over a septic system. A tennis court or playing court shall not be lighted for playing purposes. Swimming pools and tennis courts shall be so designed as to not cause a drainage problem.
4. Outdoor Storage: Except as otherwise expressly permitted by this title, outdoor storage shall not be allowed as an accessory use.
5. Horses, ~~And~~ Ponies, and Chickens: The keeping of horses, ~~and~~ ponies, and chickens (but no other poultry or fowl) shall be permitted only as accessory to a residential use on the same lot, subject to the provisions of sections [10-4-15](#) & [10-4-16](#) of this code.

### **5-9-10: EXPANDED AGRICULTURAL USES (excerpt):**

- (A) Purpose: The purpose of this section is to regulate business uses, business developments, and business activities under the definition of expanded agricultural use contained in section [5-12-13](#) of this title. These regulations shall apply within any zoning district which permits agricultural uses.
- (B) Procedure: A special use permit must be obtained to operate expanded agricultural uses on a lot. The procedures and requirements for special uses contained in section [5-11-17](#) of this title shall apply.
- (C) Uses: The following uses are allowed as expanded agricultural uses:
  1. Raising of livestock and poultry, **except for chickens as an accessory use in residential zoning districts subject to the provisions of [10-4-16](#) of this code**, and all activities incidental thereto.
  2. Nurseries, including the business of landscape architect and landscape contracting. Permitted nursery uses include the following:
    - (a) Office and design facilities.
    - (b) Storage facilities for nursery and landscape contracting equipment such as trucks, tractors, hand tools and the like, storage of plant materials, including materials purchased from other nurseries and related materials such as soil, sand, gravel, brick, concrete blocks, peat moss, grass seed, fertilizer, stone, tile, lumber and boulders.
    - (c) On site sales of plants grown on the lot.

(d) On site or off site sale of landscape contracts for the furnishing and installing of plants and related materials and for related services such as tree trimming and maintenance. The burning of waste materials brought onto the premises shall be prohibited.

3. Experimental farms.

## **Chapter 4 ANIMAL CARE REGULATIONS**

10-4-1: PERSON DEFINED:

10-4-2: ANIMAL NECESSITIES:

10-4-3: PROHIBITED ACTS:

10-4-4: DEAD ANIMALS:

10-4-5: DISPOSITION OF DEAD ANIMALS:

10-4-6: ARTIFICIALLY COLORED ANIMALS:

10-4-7: WILD ANIMALS:

10-4-8: DESTRUCTION OF DANGEROUS ANIMALS:

10-4-9: NOTICE OF ANIMAL BITE:

10-4-10: DISRUPTIVE ANIMALS:

10-4-11: ANIMAL CARE FACILITIES:

10-4-12: BUSINESS USE OF ANIMALS:

10-4-13: REGULATION OF DOGS AND CATS:

10-4-14: OWNER'S RESPONSIBILITY:

10-4-15: HOOFED ANIMALS:

10-4-16- 10-4-15-1: APPLICABILITY (Hoofed Animal Only):

10-4-16-: CHICKENS IN RESIDENTIAL ZONING DISTRICTS

10-4-16-1: 10-4-17: VARIANCES:

### **10-4-1: PERSON DEFINED:**

For the purposes of this chapter, whenever the term "person" shall appear in this chapter, said term shall mean and include any individual, corporation, partnership, association or other legal entity. (Ord. 80-O-20, 11-25-1980)

### **10-4-2: ANIMAL NECESSITIES:**

Every person owning, harboring, keeping or caring for an animal shall provide the following for said animal:

(A) A sufficient quantity of wholesome food and water.

(B) Adequate shelter and protection from weather.

(C) Veterinary care when necessary to prevent suffering or to cure illness.

(D) Humane care and treatment. (Ord. 80-O-20, 11-25-1980)

### **10-4-3: PROHIBITED ACTS:**

No person shall do any of the following acts to an animal:

(A) Beat, treat cruelly, torment, overload, overwork or otherwise abuse any animal.

(B) Abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.

(C) Fail to provide any animal with proper food, water, air and sanitary shelter. A shelter shall be deemed adequate if it is sufficient to provide natural light or artificial light and protection from the weather and is of such a size so that the animal can stand in an upright position and can also lie down stretched out so that no part of its body touches the sides of the shelter structure or touches any part of the bodies of any other animals within the same shelter.

(D) Leave any animal unattended in a motor vehicle, trailer or other enclosure when outside temperatures are in excess of eighty degrees Fahrenheit (80°F), in such a manner that the animal does not have adequate air circulation.

(E) Promote, conduct or stage any animal fights or other type of contest, game or fight of similar nature nor simulate a version of the same that may involve baiting and inciting an animal to fight. This prohibition does not pertain to fishing. (Ord. 80-O-20, 11-25-1980)

### **10-4-4: DEAD ANIMALS:**

No person shall allow any dead animal or animals afflicted with a contagious disease to be present in any public place nor shall any person keep or harbor any animal which is infected with any disease which is contagious to other animals or persons nor shall any person keep or harbor any animal afflicted with any painful disease, injury or parasite unless the animal is under the care of a licensed veterinarian.

(A) No diseased animal shall be shipped or removed from the premises of its owner except under the supervision of a licensed veterinarian or the Lake County Health Department.

(B) Any animal which is in or on any public way or within any public place and which is severely injured or diseased and for which care is not being provided shall be removed by the Lake County Health Department or by the village superintendent or his designated agent to the nearest veterinary hospital willing to accept the animal or in the alternative to the nearest humane society shelter or in the alternative to the Lake County Health Department for proper treatment or disposal. This shall be done unless the owner can be identified and assumes responsibility for the removal and care of the animal. (Ord. 80-O-20, 11-25-1980)

#### **10-4-5: DISPOSITION OF DEAD ANIMALS:**

No person shall leave in or throw into any public way, public place, public body of water, or expose or bury within the village the body of any or any part thereof of any dead animal. Nor shall any dead animal be kept in a place where it is deleterious to the health of any person or other animal. (Ord. 80-O-20, 11-25-1980)

#### **10-4-6: ARTIFICIALLY COLORED ANIMALS:**

No person shall bring into the village, sell, offer for sale, barter or display living baby chicks, ducklings, goslings, or other fowl, rabbits, or any other animals which have been dyed, colored or otherwise treated so as to have an artificial color. (Ord. 80-O-20, 11-25-1980)

#### **10-4-7: WILD ANIMALS:**

No person shall possess, keep or maintain any wild, dangerous, nondomesticated animal or animals (*ferae naturae*) including wild animals native to the state of Illinois; provided however, that persons licensed by the state of Illinois or the Federal Government may possess wild animals in accordance with the terms of the license issued; and further provided, that none of the foregoing shall prohibit commerce in poultry for agricultural and foodstuff purposes. (Ord. 80-O-20, 11-25-1980)

#### **10-4-8: DESTRUCTION OF DANGEROUS ANIMALS:**

The village manager, the village superintendent, the Lake County Health Department, and any peace officer of the state of Illinois or Lake County or any municipality situated within Lake County is hereby authorized and directed to kill any dangerous animal when necessary to protect any person or property within the village. (Ord. 80-O-20, 11-25-1980; amd. Ord. 90-O-37, 11-13-1990)

(A) Remains of any animal so killed must be transported to a licensed veterinarian for proper examination and autopsy.

(B) In the event any animal so killed had previously bitten or scratched any person no more than fourteen (14) days prior to the death of the animal, the body shall be submitted to a test by a licensed veterinarian for the presence of rabies disease. (Ord. 80-O-20, 11-25-1980)

#### **10-4-9: NOTICE OF ANIMAL BITE:**

No person who is an owner of an animal, after receipt of notice that the animal has bitten or scratched any person, shall sell, give away or otherwise dispose of the animal, or allow the animal to leave the territory of the village unless and until the owner has delivered the animal to a licensed veterinarian for the administration of a rabies test. The animal shall be impounded in accordance with Lake County Health Department standards. (Ord. 80-O-20, 11-25-1980)

#### **10-4-10: DISRUPTIVE ANIMALS:**

No person shall harbor or keep any animal which repeatedly disturbs the peace and quiet of the neighborhood by making loud noises. (Ord. 80-O-20, 11-25-1980)

#### **10-4-11: ANIMAL CARE FACILITIES:**

No person shall purchase, sell, dedicate or maintain any property for the purpose of an animal care center comparable to a zoo, with the exception of a licensed veterinarian or a person licensed to maintain animals by the state of Illinois or the United States Government; and further provided, that said person shall have received from the village board a special use permit therefor. (Ord. 80-O-20, 11-25-1980)

#### **10-4-12: BUSINESS USE OF ANIMALS:**

No animal shall be kept or maintained for business purposes except for agricultural uses in accordance with the zoning regulations of the village<sup>1</sup>; provided, that horses may be maintained in approved equestrian centers and animals may be maintained in veterinary clinics in the normal course of business. (Ord. 80-O-20, 11-25-1980)

#### **10-4-13: REGULATION OF DOGS AND CATS:**

The licensing laws of Lake County shall be deemed to be in full force and effect within the village. (Ord. 80-O-20, 11-25-1980)

#### **10-4-14: OWNER'S RESPONSIBILITY:**

Whenever it comes to the attention of the owner of a dog or cat that the dog or cat has bitten or scratched any other animal or person, the owner of the animal shall immediately notify the Lake County health department and the village superintendent and shall further submit the animal to a licensed veterinarian for impoundment and for the administration of a rabies test in accordance with Lake County health department regulations; and provided further, that the animal shall be examined by the licensed veterinarian immediately after it being submitted and ten (10) days thereafter to determine whether or not the animal is infected by rabies disease. (Ord. 80-O-20, 11-13-1980)

#### **10-4-15: HOOFED ANIMALS:**

(A) Hoofed animals shall not be housed or maintained on parcels of land consisting of less than two (2) acres. Subject to the terms of this section, hoofed animals may be maintained on a parcel of land consisting of two (2) acres and additional hoofed animals may be maintained for every additional half acre of land which is part of the parcel. For example:

1. Two (2) acres, four (4) hoofed animals.

2. Two and one-half ( $2\frac{1}{2}$ ) acres, five (5) hoofed animals.
3. Three (3) acres, six (6) hoofed animals.
4. Three and one-half ( $3\frac{1}{2}$ ) acres, seven (7) hoofed animals.
5. Four (4) acres, eight (8) hoofed animals, etc.

Notwithstanding any provision in this section to the contrary, pigs, hogs, or any other kind of swine shall not be housed, maintained, or boarded within the village limits.

For the purpose of this section, acreage computations to satisfy the above described minimum acreage per animal shall specifically exclude areas situated within the floodplain or conservancy districts as defined in subsections 7-5-3(B) and 7-5-4(B) of this code. In addition, for the purposes of this section, the computation of acreage required shall include only that acreage that is devoted exclusively for the purposes of keeping hoofed animals as evidenced by fencing or similar enclosures. Except for paddock areas for horses, the area devoted to the keeping of hoofed animals shall be set back at least two hundred fifty feet (250') from any property line unless a variation is granted pursuant to section 5-11-15 of this code.

The boarding of hoofed animals is limited to properties for which a special use permit has been granted for expanded agricultural uses for the specific hoofed animals to be boarded and is prohibited on all parcels of land not physically occupied by the owner of said land.

- (B) All owners of horses shall provide a stall for each horse not less than ten feet by ten feet (10' x 10'), and an appropriate space for all other animals.
- (C) If an owner provides a mud lot, it: 1) must be within the acreage devoted exclusively for the purposes of keeping hoofed animals, 2) must be fenced and exclusive of vegetative pasture, 3) shall not exceed two thousand five hundred (2,500) square feet, and 4) shall be maintained in such a fashion as to minimize erosion.
- (D) No mud lot may be situated less than one hundred fifty feet (150') from any residence and suitable bush screening is required between the mud lot and any lot line.
- (E) All animal waste which is stored must not be stored less than fifty feet (50') from any adjacent parcel. No animal waste shall be stored closer than one hundred fifty feet (150') from any occupied residence nor may animal waste be stored within any required setback area for the parcel upon which the hoofed animal is kept. In addition, all animal waste must be removed on a regular basis at reasonable times so as not to constitute a health hazard.
- (F) All hoofed animals must be kept in a sanitary environment and be treated in a humane fashion and they must be cared for so as to maintain them in good health.
- (G) All parcels of land upon which hoofed animals are boarded are subject to the inspection of the village superintendent or his designated agent.
- (H) A horse shelter shall be provided for all horses and the construction of the shelter shall be in a form approved by the building committee.

- (I) In addition to any fines resulting from violations of this section, any person who repeatedly violates the terms of this chapter shall be barred, at the election of the village board, from maintaining any hoofed animals on his property. (Ord. 2009-O-02, 1-27-2009)

#### **10-4-15-1: APPLICABILITY (Hoofed Animals only) :**

- (A) Persons who, at the time of passage date hereof, own and board animals and have more animals than allowed by this chapter shall be allowed to maintain the present number of animals. Persons who, at the time of passage date hereof, own and board animals in shelters which do not conform with requirements of this chapter shall be allowed to continue to board the animals in the shelters; provided, that said persons do not increase the number of animals in any nonconforming shelter above the number presently kept in said shelters. All persons otherwise subject to this section shall fully comply with all other provisions of this chapter.
- (B) Any person who, at the time of passage date hereof, owned and boarded animals more than allowed by the terms of this chapter who are therefore allowed to continue to maintain the same number of animals pursuant to the preceding subsection and who shall cease to own and/or board animals in excess of the maximum amount allowed by this chapter for a period in excess of one hundred eighty (180) days shall thereafter be barred from owning and/or boarding more animals than otherwise allowed by this chapter and shall thereafter be required to fully conform with all of the terms of this chapter controlling the maximum number of animals that may be owned and/or boarded.
- (C) All persons who, at the time of passage date hereof, own and/or board animals within shelters which do not conform with the requirements of this chapter, but who are allowed to continue to own and/or board animals in such shelters because of the preceding paragraphs and who fail to own and/or board animals in said nonconforming shelters for a period in excess of one hundred eighty (180) days shall thereafter be required to own and/or board animals within shelters that conform with this chapter and be barred from owning and/or boarding animals within any such nonconforming shelter which has not been utilized for the one hundred eighty (180) day period. (Ord. 80-O-20, 11-25-1980)

#### **10-4-16: CHICKENS IN RESIDENTIAL ZONING DISTRICTS:**

- (A) The keeping of chickens (but no other poultry or fowl) shall be permitted as an accessory use to a residential use and on the same lot or parcel as the principal residential use, within a residential zoning district, subject to the provisions of this code.
- (B) Chickens may be housed and/or maintained on a lot or parcel of land consisting of not less than two (2) net acres within all residential zoning districts. For the purpose of this section, lots and/or parcels, developed as residential Planned Unit Development (PUD) shall be considered as a residential zoning district and subject to these regulations provided the approval ordinance for such a PUD does not prohibit or further restrict the keeping of chickens as part of that approval. In the case of conflict between an approved PUD ordinance and this section of the Village Code, the stricter of the two shall apply.
- (C) Chickens shall not be housed and/or maintained on lots or parcels of land consisting of less than two (2) net acres as a matter of right within all residential zoning districts. The keeping of chickens on lots or parcels of land consisting of less than two (2) net acres may be considered subject to the provisions of 10-4-16 (E).

(D) The keeping of chickens of lots or parcels of land consisting of not less than two (2) net acres of land area within residential zoning districts shall be allowed as a matter of right subject to the following provisions;

- (1) No more than (6) six hens shall be permitted to be kept per single family residential dwelling unit.
- (2) Roosters shall not be permitted to be housed, kept or maintained.
- (3) Chickens shall be at all times confined to the same lot or parcel as the principal use.
- (4) Enclosures shall be treated as accessory structures per Title 5 of this Code except that the minimum building separation requirement between principal and accessory structures of 20' shall not apply.
- (5) Enclosures shall be located within the rear yard and behind the principal structure on any residential lot or parcel and constructed at least three (3) feet above the ground surface.
- (6) Enclosures shall provide a minimum area of 3 square feet per bird, with a maximum of square footage of 20 square feet per enclosure.
- (7) Applicable building permits for enclosures shall be required.
- (8) Enclosures shall be cleaned regularly and kept in a neat and sanitary manner at all times so as not to create a nuisance.
- (9) Slaughtering of chickens shall be prohibited.
- (10) Chicken feed shall be securely stored in sealed rodent proof containers.
- (11) On-site sale of eggs shall be prohibited.

(E) The keeping of chickens of lots or parcels of land consisting of less than two (2) net acres of land area may be considered within residential zoning districts subject to the following provisions;

- 1). The property owner shall follow the procedures for variation as identified in 10-4-17 of this chapter and successfully obtain a variation for the keeping of chickens on a lot or parcel consisting of less than two (2) net acres of land area.
- 2). In addition to the requirements of 10-4-17; the property owner shall provide evidence that the provisions for the keeping of chickens as identified in 10-4-16 (D) will be met with the exception of lot size.
- 3) The Planning Commission & Zoning Board of Appeals (PCZBA) may recommend and the Board of Trustees may impose conditions and limitations upon the premises benefited by such variation.

#### **~~10-4-16-1:~~ 10-4-17 VARIANCES:**

Whenever the standards of this chapter place undue hardship on a property owner, the property owner may make application to ~~the zoning board of appeals~~ **the Planning Commission & Zoning Board of Appeals (PCZBA)** for a variance. ~~The zoning board of appeals~~ **the PCZBA** shall review the owner's request for variance and shall thereafter submit its recommendation to the village board.

(A) No variance shall be granted unless the owner demonstrates that:

1. The relief requested is the minimum necessary.

2. There will be no threat to public health or safety or creation of a nuisance.
  3. The proposed variation will not result in the diminution of the quality of life for the animal or animals to be stabled on the owner's property.
  4. The animal or animals will be provided with adequate shelter and protection from weather.
  5. The variation, if granted, will not prevent or impede human care and treatment of the animals.
- (B) A variance from the requirements of this chapter may be granted as requested if the proposed variation is in general conformity with the purpose of this chapter, and the variance may be granted on such terms and conditions as are appropriate to ensure adequate and humane care for the animals.

The ~~zoning board of appeals~~ PCZBA may consider a request for variation under the provisions of this chapter at any regularly scheduled meeting. No legal notice or publication shall be required for an owner to obtain a hearing on a request under the terms of this provision; provided, however, that the applicant shall submit an affidavit demonstrating that applicant has sent a copy of the application to all property owners within two hundred fifty feet (250') of applicant's property fourteen (14) days before the zoning board of appeals meeting at which the application is to be considered.

- (C) The village board, upon receipt of the recommendation of the zoning board of appeals, shall review the recommendation of the zoning board of appeals and then determine whether or not a variation as requested or as the board might deem appropriate to be modified shall be granted. In the event that the board determines that a variation shall be granted as requested or as modified in its discretion, it shall so grant the variation by adoption of an appropriate ordinance. (Ord. 86-O-33, 3-25-1986)

**Footnotes** - Click any footnote link to go back to its reference. Footnote 1: See title 5 of this code.

**Item #1:**  
**Report Of The October 4, 2011 PCZBA Meeting**  
**E. Amendments To Code Re: Downtown (B1) Signage**



## MEMORANDUM

**TO:** Village of Long Grove Planning Commission & Zoning Board of Appeals  
**FROM:** JAMES M. HOGUE, Village Planner  
**DATE:** September 27, 2011  
**RE:** Public Hearing – Modification to Title 5, Chapter 5, Section 5-9-5 "Signs"

**PUBLIC HEARING** – Consideration of a request for amendment (s) to the Village Code for the Village of Long Grove, and specifically Title 5, Chapter 9, Section 5-9-5 "Signs" of the zoning regulations, including without modification to the regulations regarding signage in the Village of Long Grove, Illinois.

### **BACKGROUND**

This request is being made primarily by the LGBCP and is focused on signage in the Historic Business District. A list of 10 issues identified by the LGBCP is attached to this report for the consideration for the PCZBA. The issue of signage was last considered with the comprehensive update to the Village Zoning Code in 2007.

### **CURRENT VILLAGE REGULATIONS**

Section 5-9-5 of the Village Zoning Code is attached for consideration by the PCZBA. These regulations reflect the changes made as part of the 2007 comprehensive update to the zoning code. No other modification to the sign regulations has been considered since that time.

### **OTHER MODIFICATIONS**

Staff would like the PCZBA to consider two other areas of modification to the Village Sign Code.

- 1). Signage in PUD's – Presently minor modifications to signage in PUD's (such as change of copy) are considered as "minor PUD amendments". This has been conducted more or less as a matter of policy. Staff would like to see language codifying this in the sign regulations or at least cross referencing minor modifications to PUD signage with 5-11-18 (I) (2) of the present zoning code.
- 2). Churches, Public Buildings & Country Clubs – The pre-2007 sign regulations contained language regulating this type of signage which is attached for the review of the PCZBA. This language was dropped however in the comprehensive amendment as these uses were made special uses under that amendment. The rationale being that signage would be considered under the umbrella of a special use permit. This works well for new facilities of this nature but has been problematic for modification to existing signage associated with these types of uses currently existing within the community. Staff.

suggests signage regulations for these uses be incorporated back into the sign regulations possibly subject to a maximum square footage, limits on illumination and AC review.

**PCZBA ACTION**

It is anticipated that the public hearing on the 4<sup>th</sup> of October will be an information gathering session. Input from the meeting will be used to put together a draft ordinance for consideration by the PCZBA. The public hearing on the 4<sup>th</sup> should be continued to a specific date, time and place to allow public comment and PCZBA discussion of the proposed ordinance amendment at a later date.

Should you have any questions or concerns feel free to contact me at (847) 634-9440.

## Proposed Changes to the Village of Long Grove Sign Ordinance

Following are points of discussion and/or suggestions for potential changes to the village ordinances with regard to signage along with proposed language.

- In the original Long Grove ordinances, the designation of signs made out of wood was originally intended to keep a consistent general aesthetic in the LGBCP but in recent years it has been reinterpreted only in a material application. The signage ordinance should be rewritten to specify a sense of time and place with regard to wooden or wood-like signs.

The purpose of the sign regulations in this section is to establish and carry into effect regulatory procedures governing signs in the Historic Business District of the Village of Long Grove. These regulations pertain to permits, colors, texture and finish, materials and design, location and size. They are set forth to preserve the special qualities inherent in the Village that attract tourists and residents alike and that are the basis of the Village's economic stability and growth. Signs excessive in size, illumination and of commonplace design will defeat the purpose of the preservation of characteristic areas in the Village of Long Grove.

In addition to the prohibition contained in this section, approval of the display of a sign in the Historic Business District shall be granted by the LGBCP Design Committee, the Long Grove Architectural Commission and the Village of Long Grove Board of Trustees and only when the signs and the plans conform to the unique and distinctive character of the Village, and do not injuriously affect the same and do not impair the value to the community's architectural worth.

In this regard all permanent signage must be constructed either from wood, or a wood-like substance which gives the appearance of being crafted from wood. Signage that consists of a wooden interior, such as plywood or Masonite but has a plastic or manufactured look and feel does not qualify as wooden or being constructed from a wood-like material.

All existing permanent signs not in compliance as of January 1, 2012 will have one year to meet the standards as set forth in this document.

- Self-illuminating Signs (including neon) should be allowed on a case by case basis.

All self-illuminated signage is not permitted within the village unless authorized by specific action of the LGBCP Design Committee, the Architectural Commission and the Board of Trustees. Prohibited signs and displays include those which are visible from exterior areas, accessible to pedestrians and which are flashing, self-illuminated, phosphorescent, glossy, incorporate internal lights or movement. Also prohibited are exterior permanent signs, displays or other installations that include balloons, streamers, or other notice-attracting appendages.

Notable exceptions to this ordinance are allowances by a special use permit for the use of certain styles of neon and/or "open" signs illuminated from or through an interior window in an appropriate environment and in an appropriate manner that will be assessed on a case by case basis by the Design Committee and the Architectural Commission. Each special use permit is good until the last day of the calendar year at which time the business or service must reapply for continued usage through the business license application form.

- Temporary signage should be allowed only for specific events and for a limited amount of time prior to the event. The opening of a new store could be considered such an event, as could a special one-time sale, or a promotional event. All temporary signage should fit within the design context of the establishment that is displaying the temporary signs. There should be very strict time limitations on the display of temporary signs and we may want to consider requiring that they are taken in each evening (see sandwich boards).

Except as set forth in paragraph below, permits for temporary signs shall authorize the erection of such signs and their maintenance for a period not exceeding 60 days, in the discretion of the LGBCP's Design Committee.

The advertising contained on any temporary sign shall pertain only to the business, service, or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political, or religious nature.

No sign located inside or outside a structure within the Historic Business District which is intended to be read by the general public from the public sidewalk or street, shall list an express price reduction stated in terms of either a percentage reduction or a dollar amount reduction

Any sign now or hereafter existing which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use of the building, lot or structure upon which sign may be found.

For noncomplying temporary or portable signs on private property, written notification of the owner shall be given requesting compliance or removal within 48 hours. If after this time the sign is not removed, then the Village shall have the right to request and enforce removal of the sign at the owner's expense.

For noncomplying temporary or portable signs creating a threat to health, safety, and welfare, on a sidewalk or for other reasons, the Village shall have the right to request and enforce immediate removal of the sign at the owner's expense.

For noncomplying temporary or portable signs for which no variance has been approved, the Village shall have the right to request and enforce removal of the sign at the owner's expense.

All "For Lease" signage pertaining to all vacant retail, office or service space must follow the guidelines as set forth herein with regard to size, color, style and illumination and any variance from this standard will be viewed as non-compliant and be subject to all fines and legal procedures as noted.

- Enforcement by the village should have some bite, but perhaps there should be a forum within which to discuss each issue as it arises allowing the Design Committee to request a change prior to enforcement by the village.

After initial Notification of violation by the LGBCP Design Committee, the following are mandatory fines for violation upon issuance of a citation by the Board of Trustees.

First violation issuances \$100 (first week)

Second violation issuance \$300 (second week)

Third violation issuance \$500 (third week and assessed once a week until compliant)

Fourth violation issuance Mandatory municipal court appearance (after fourth week)

- Consideration of signage size should be given to those businesses that are not on a main roadway and are therefore at a disadvantage with regard to the communication of location to the general public.

Business District Signage: The cumulative size of all signs permitted by this title shall be governed by the square footage of the associated business as follows:

(1) The limit of signs per business per established entrance is one ground sign, one nameplate sign, and one wall sign or one canopy sign.

(2) Except as otherwise authorized by variation pursuant to subsection 5-11-15(E)1(c) of this title, the cumulative total square footage for all signs shall not exceed the following: □ □ MAXIMUM SIGN AREA PERMITTED IN BUSINESS □ ZONING DISTRICTS IN SQUARE FEET □

Total Area Of Business In Square Feet	B1	B1 – Setback (at least 50 from main roadway)	
1 - 1,000	12	16	
1,001 - 3,000	20	26	
3,001 - 5,000	30	38	
5,001 or greater	30	38	

(3) The cumulative square footage of a sign will be assessed based on one side of a sign. In this regard, a double-sided sign's square footage will only be assessed on one side of that double-sided sign.

- The use of flags that contain messages, such as "Open", should also be under the purview of the Design Committee and fall under the same restrictions as any signage.

Awnings shall be of cloth or of other material acceptable to the Division. There shall be no advertising on awnings. Flags, banners, awnings, and such trappings shall not be permitted as advertising within the LGBCP. However, the name of a business may appear along the lower edge or fringe of the awning. In such cases, the awning shall count as one sign as allowed. The color of the awning shall be compatible with the Long Grove LGBCP architectural style and shall not be obtrusive.

A flag containing the word "Open" may be used during business hours, but must be removed at business closing. Any such flag must adhere to the guidelines for color and design as set forth herein and cannot exceed the dimension of one foot across by two feet in length. Other than the word open or the name of the establishment, no other wording will be allowed.

Flags of a standard bearing nature such as the American flag, the flag of Illinois or military flags are acceptable. Also decorative flags such as garden flags and nonpolitical environmental flags are also acceptable.

- Sandwich Boards should be allowed by special permit and should meet the standards of aesthetics that are allowable under the village ordinances, such having a sense of being handmade or artistically produced. This would mean no plastic or manufactured lettering. Most towns require such signs to be taken in on a nightly basis.

Sandwich or two-sided portable signs are allowed only by special use permit authorized and approved by the LGBCP Design Committee and Village Planner. The special use permit is good until the last day of the calendar year at which time the business or service must reapply for a use permit through the business license application form.

To be considered for a special use permit, any sandwich or two-sided temporary sign must have the look and feel of either a wooden sign as described in the section on materials or be of a chalkboard material displaying hand-drawn or hand-lettered information pertaining specifically to the business or service directly adjacent to the sign. In no case will plastic, or vinyl looking portable signs be allowed within the Historic Business District.

The content of portable signs must meet the criteria for signage as set forth in the Village of Long Grove signage ordinance.

In no case may the display of a portable sign obstruct pedestrian or vehicular ingress and egress. If there is a question in this regard, determination will be made by the Village Planner or a designated representative of the Village Planer's office as to whether a sign in violation of this section of the code.

All portable signs must be taken inside at the close of each business day by the merchant or property owner where the sign is displayed. Signs violating this ordinance may be removed by the Village at the owner's expense.

- Temporary “ground” signage – Small wooden frames along roadside.

As of January 1, 2012, all approved temporary ground signage promoting any specific event must be contained within designated wooden frames situated in strategic locations around the LGBCP with locations to be chosen and approved by the LGBCP Design Committee in conjunction with the Architectural Commission and the Village Planner.

In the event that two or more activities occur simultaneously, usage of the designated frames will be divided equally between the parties involved. Signs may not be installed more than 48 hours prior to the beginning of any such event and must be removed within 12 hours after the end of said event.

All ground signage must fit within the design and style designations as discussed in the village code relating to the Historic Business District and be approved by the LGBCP Design Committee and the Village Planner.

- Signs must be maintained

When a sign has deteriorated either from lack of maintenance or from damage caused by collision impact or weather to a point where it is clearly evident that the sign is in need repair as deemed by the LGBCP Design Committee, the owner of that sign must make the required repairs within 60 days of notification. If repairs have not been completed to the satisfaction of the LGBCP Design Committee, the Village Planner will be notified and the process of fines and potential legal procedures will be initiated by the Village.

A well-maintained sign will be considered so if the sign in question is complete and in good condition. Signage that is visibly cracked or missing sections, where the crack or missing section may be noticed from the vantage point of a pedestrian or passing vehicle, shall be deemed in poor condition. In such cases, the owner of the sign may be requested to perform maintenance to bring the sign to an acceptable level.

The LGBCP Design Committee understands that any wooden sign that is subjected to the elements of nature and general wear and tear will exhibit aspects of age. The criteria which the LGBCP Design Committee will use to formulate any request for maintenance on signage will be based the solely on the level of deterioration. The committee understands the subjective nature of assessing deterioration.

- Municipal signage within the Historic Business District should be held to the same standard as commercial signage and should actually set the aesthetic criteria for commercial signage in the village.

✓7. Churches, Public Buildings And Country Clubs: Signs to be located on churches or public buildings located within a residence district must conform to the requirements set forth for business districts, subsection (A) of this section. Signs located on country clubs may not exceed forty (40) square feet in dimension and only one freestanding sign is allowed per country club, and one silhouette sign per country club.

**5-9-5: SIGNS:**

- (A) **Scope Of Regulations:** The regulations of this section shall govern and control the location, erection, relocation, reconstruction, extension, enlargement, conversion, replacement, alteration, operation, maintenance, and removal of all signs within the village visible from any street, sidewalk, or public or private common open space, excluding only signs owned or maintained by the village. Any sign not expressly permitted by these regulations shall be prohibited. The regulations of this section relate to the location of signs within zoning districts and shall be in addition to the provisions of the building code applicable to the construction and maintenance of signs.
- (B) **Statement Of Purpose:** The regulation of signs by this section is intended to promote and protect the public health, safety, and welfare. The purpose of this section is to:
1. Regulate signs in such a manner that supports and complements land use objectives that are set forth in the zoning code, village code, and comprehensive plan.
  2. Ensure that all signs are compatible with regards to size, location, color, construction, materials, and the manner of display.
  3. Ensure that signs do not confuse, obstruct traffic vision, nor endanger public health, safety, morals, or general welfare.
- (C) **Applicability:** No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, replaced, or altered except in conformance with the provisions of this section and after issuance of a sign permit by the village, if required, or compliance with subsection (E) of this section permitting signs without the issuance of a permit.
- (D) **General Standards:** The following general standards apply to all signs. Any sign not in compliance with these standards shall be immediately corrected or shall be deemed to be in violation of this chapter.
1. **Illumination:** Signs shall only be permitted to be illuminated in accordance with the following regulations:
    - (a) No sign can be self-illuminated or internally illuminated; provided, however, that a business shall be permitted one internally illuminated "open" window sign not to exceed one square foot in area, which sign shall be subject to the review and approval by the architectural board.
    - (b) Neon illumination of signs is not permitted.

- (c) Any illumination of signs shall be constant in intensity and color and there shall be no flashing lights, rotating lights, running lights, or lights that create an illusion of movement.
  - (d) No sign shall be illuminated in such a manner so as to cause confusion with traffic signals or lights or which might constitute a traffic hazard.
  - (e) Any light source that is used to illuminate a sign must be located, shielded, and directed as to not be visible from any point on any surrounding streets, public property, adjacent private property or adjacent structures. All artificial illumination shall be so designed, located, shielded, and directed so that it illuminates the sign face area only and prevents the casting of glare.
2. **Sign Measurement:** The term "sign area" shall include the gross surface area of each sign with a single continuous perimeter enclosing the extreme limits of the sign and in no case passing through or between any adjacent elements of the sign. Such a perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display.
  3. **Traffic Safety:** No sign or sign structure shall be permitted or maintained at any location where by reason of its position, size, shape, design, or color it may obstruct, impair, obscure, or interfere with the views of the vehicular driver, pedestrian, or cyclist. No sign will be permitted that could be confused with any traffic control signal or device. No sign will be permitted where it may interfere, confuse, or mislead traffic movement.
  4. **Maintenance:** The owner of a sign and the owner of the premises on which the sign is located shall be jointly and severally liable to maintain the sign or signs in a clean and sanitary condition, free from rubbish and weeds, and in overall good working order, including illumination sources, at all times.
  5. **Setbacks:** All signs must maintain a minimum five foot (5') setback from the street and cannot be located in the vision triangle. Signage setbacks within the B1 district shall be subject to the review and approval of the architectural board.
  6. **Compliance With All Village Codes:** In addition to the requirements contained within this section, all signs shall fully comply with all the other applicable village code provisions, including, without limitation, the village's building and electrical codes.
- (E) **Signs That Do Not Require A Permit:** The following permanent and temporary signs may be erected and maintained in any district, unless otherwise provided, without obtaining a sign permit, subject to the following limitations:
1. **Small Real Estate Signs:** Two (2) temporary real estate signs, which shall include "open house" signs, shall be permitted per lot or per principal structure. The maximum size for each real estate sign shall not exceed six (6) square feet, and no such sign shall be illuminated. No real estate sign shall project beyond the lot line into the public right of way or onto private property that is not owned by the party installing or owning the sign. All such signs shall be removed within forty eight (48) hours of the closing or lease or sale of the lot.

2. Residential Nameplates: Two (2) nameplate signs shall be permitted for each dwelling unit in a residential district only. The maximum size for each nameplate sign shall not exceed one hundred forty four (144) square inches in area, and no such sign shall be illuminated.
3. Window Signs: Window signs shall be permitted when located on the interior side of a window. The aggregate area of all such window signs shall not exceed more than ten percent (10%) of the total area of the window. Illuminated window signs shall be permitted, subject to the provisions of this section.
4. Directional And Warning Signs: Directional and warning signs that direct people to restrooms and to parking facilities and signs required by law (entrance, exits, and handicapped accessibility) shall be permitted. No such sign shall exceed two (2) square feet in area. Directional and warning signs shall not be used for any commercial purposes and must be approved by the building superintendent prior to installation.
5. Seasonal Or Noncommercial Decorations/Signs: Seasonal or noncommercial decoration/signs shall be permitted for a period not to exceed sixty (60) days. The maximum size for such decorations/signs shall not exceed ten (10) square feet in area.
6. Campaign Signs: Two (2) temporary campaign signs per candidate shall be permitted for each lot or per principal structure. The maximum size for each campaign sign shall not exceed six (6) square feet, and no such sign shall be illuminated. No such campaign sign shall project beyond the lot line into the public right of way or onto private property that is not owned by the party installing or owning the sign. All such signs shall be removed within forty eight (48) hours after the applicable election.
7. Political Message Signs: Political message signs shall be permitted. The maximum size for each political message sign shall not exceed six (6) square feet, and no such sign shall be illuminated. No such political message sign shall project beyond the lot line into the public right of way or onto private property that is not owned by the party installing or owning the sign.
8. Street Signs: Signs giving names of streets shall be erected at all street intersections. Such signs shall meet the minimum requirements as set forth in the "Manual Of Uniform Traffic Control Devices For Streets And Highways", as prepared and published by the department of public works and buildings, state of Illinois, and the Long Grove street sign design standards. The developer shall also promptly install any and all regulatory traffic signs deemed necessary by the village. The developer shall install temporary street signs during the period of construction as soon as the lot is accessible by vehicles and maintain such signs until permanent signs are installed.
9. Conservancy/Scenic Corridor Signs: Signs identifying conservancy and/or scenic corridor easements shall be posted on all lots that have been designated a lowland conservancy district, a woodland conservancy easement, or a scenic corridor easement. Such signs shall be installed prior to the issuance of a building permit and commencement of any construction on the lot. The signs shall be provided by the village and installed in an area designated by the building superintendent or his or her designee. The signs shall be located on four inch by four inch (4" x 4") treated posts three feet (3') in the ground and shall extend three feet (3') above the ground. These signs shall indicate the conservancy/scenic corridor districts and establish that these areas are not to be disturbed.

10. Public/Legal Notices: Temporary signs that indicate either a public hearing or are a required legal notice may be installed on the lot; provided, however, that such signs shall not be located within the vision triangle nor constitute a public safety hazard.
11. Temporary Signs: Temporary signs shall be permitted in accordance with section 5-9-3 of this chapter.

(F) Signs That Require A Permit:

1. Permit Required: Except as otherwise provided in subsection (E) of this section, it shall be unlawful for any person to erect, construct, move, alter, or maintain any sign without first having made application for and obtained a sign permit from the village in accordance with section 5-11-20 of this title and having paid the applicable permit fee. The building superintendent or his/her designee shall be responsible for the administration and enforcement of sign permit applications.
2. Signs Requiring A Permit: The following permanent and temporary signs require a permit pursuant to this subsection:
  - (a) Large Real Estate Signs: One temporary real estate sign shall be permitted on a lot that contains at least five (5) acres in area. The maximum size of a real estate sign shall not exceed eighteen (18) square feet in area, and no such sign shall be illuminated. All such signs shall be removed within twenty four (24) hours of the closing of the lease or sale of the lot or the reduction of the lot to less than the required five (5) acre minimum. No such real estate sign shall be located closer than ten feet (10') from any lot line.
  - (b) Construction Signs: One temporary construction sign shall be permitted on a lot that contains at least five (5) acres in area. The maximum size of a temporary construction sign shall not exceed eighteen (18) square feet in area, and no such sign shall be illuminated. No such construction sign shall be located closer than ten feet (10') from any lot line. Construction signs shall be removed at the time a permanent sign is installed or a certificate of occupancy is issued, whichever occurs first.
  - (c) Subdivision Signs: A sign identifying the location and name of a subdivision may be installed at the entrance of the subdivision, subject to compliance with the following standards:
    - (1) Number Of Signs: No more than two (2) subdivision identification signs shall be permitted for each subdivision.
    - (2) Size: The total area of the subdivision identification signs permitted by subsection (F)2(c)(1) of this section shall not exceed forty (40) square feet in dimension.
    - (3) Lighting: A subdivision identification sign may be illuminated, subject to compliance with the following standards:
      - A. Type Of Lighting: A subdivision identification sign may utilize one of the following methods of illumination: sign mounted canopy light or ground mounted spotlight. Only white or clear incandescent illumination sources shall be permitted.

B. Direction Of Illumination: The illumination source shall only be directed onto the face of the subdivision identification sign.

C. Visibility Of Illumination Source: The illumination source or filament shall not be visible from adjacent lots.

D. Maximum Illumination: The maximum illumination for a subdivision identification sign shall not exceed two (2) foot-candles within a distance of one foot (1') from the surface of the subdivision identification sign and shall not emit any measurable illumination (i.e., 0 foot-candles) at the lot line most proximate to a subdivision identification sign.

E. General Restrictions: The illumination of the subdivision identification sign shall comply with the provisions of subsection (D)1 of this section.

(d) Business District Signage: The cumulative size of all signs permitted by this title shall be governed by the square footage of the associated business as follows:

- (1) The limit of signs per business establishment is one ground sign, one nameplate sign, and one wall sign or one canopy sign.
- (2) Except as otherwise authorized by variation pursuant to subsection 5-11-15(E)1 (c) of this title, the cumulative total square footage for all signs shall not exceed the following:

**MAXIMUM SIGN AREA PERMITTED IN BUSINESS ZONING DISTRICTS IN SQUARE FEET**

Total Area Of Business In Square Feet	B1	B2	
		No Arterial Access	Arterial Access
1 - 1,000	12	12	20
1,001 - 3,000	20	20	30
3,001 - 5,000	30	30	40
5,001 or greater	30	30 <sup>1</sup>	50 <sup>2</sup>

**Notes:**

- 1. For each additional 2,000 square feet, an additional 10 square feet of signage is permitted. The maximum total signage area shall not exceed 50 square feet.
- 2. For each additional 2,000 square feet, an additional 10 square feet of signage is permitted. The maximum total signage area shall not exceed 70 square feet.

(e) Nameplate Signs: These signs are only permitted in the business districts. Nameplates shall not exceed one hundred forty four (144) square inches per sign area and shall be limited to one for each business establishment.

- (f) Development Identification Signs: These signs are permitted for developments within the B2 district provided that the development has two (2) or more businesses and uses and is located on a lot of a minimum of five (5) acres in size. The sign shall be located at the entrance of a street, can only be a ground sign, and shall be no greater than fifteen feet (15') in height. The maximum overall square footage of such a sign is fifty (50) square feet in size. Only one such sign is permitted per roadway easement or street/right of way frontage. A maximum of six (6) tenant signs can be included on the development identification sign.
  - (g) Gas Station Signage: One wall sign is permitted in association with a gas station use, which shall not exceed eighteen (18) square feet in size. One ground sign is permitted in association with a gas station use that shall not exceed forty (40) square feet in size. Customary identification signs that are integral to the gas station use shall be permitted not to exceed six (6) square feet and can be approved by the building superintendent, or his/her designee.
  - (h) Office Signage: One ground sign is permitted for developments within the office zoning districts. The maximum overall square footage of such a sign is fifty (50) square feet in size. The maximum height of such a sign is fifteen feet (15').
  - (i) Temporary Banner Signage: One temporary banner is permitted per lot up to a maximum of eighteen (18) square feet in size and can be approved by the building superintendent, or his/her designee. The minimum required setback from the street shall be ten feet (10').
  - (j) B&B Signage: Only the following signs shall be permitted:
    - (1) One identification sign not exceeding six (6) square feet, which shall be located at the entrance to the lot or such other location as approved by the architectural board.
    - (2) One sign not exceeding one square foot to mark each designated parking space.
3. Architectural Board Review Required: Except for signs that do not require a permit or signs that can be approved by the building superintendent, all signs shall be subject to the review and approval of the architectural board prior to the issuance of a sign permit in accordance with section 5-11-20 of this title.

(G) Prohibited Signs: The following signs and types of signs shall be prohibited:

1. Flashing Or Moving Signs: Any sign that is wholly or partially illuminated by flashing lights or intermittent lights, any raceway sign, or any sign that moves or creates the illusion of moving shall be prohibited.
2. Portable Signs: Any portable sign shall be prohibited. Examples of such signs are signs that have trailer hitches, signs on wheels, signs that can be transported to and from various locations and portable signs with internally illuminated boards.
3. Off Site Advertising Signs: Any sign that directs attention to a business, service or commodity that is offered, conducted or sold at another location than the location of the sign shall be prohibited.

4. Painted Wall Signs: Any wall sign that is applied with paint or a similar substance on the face of a wall, building or structure shall be prohibited.
5. Signs On Trees Or Utility Poles: Any sign that is attached to a tree or utility pole whether on public or private property shall be prohibited.
6. Bench Or Seating Signage: Any bench or seating used for any form of advertising shall be prohibited.
7. Vehicle Signs: Any commercial vehicle used for the sole purpose of advertising a business by parking the vehicle anywhere in the village shall be prohibited.
8. Roof Signs: Any roof sign shall be prohibited.
9. Signage On Village Property Or Right Of Way: Any sign on village property or public right of way without the village's or respective public body's consent shall be prohibited. (Ord. 2007-O-04, 4-24-2007)