

Agenda Item # 32

Distribution  
Dept. of Plan., Bldg. & Dev. (4)

STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF LAKE )

ZBA #3571 B

COUNTY BOARD, LAKE COUNTY, ILLINOIS

October 10, 2006

MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Planning, Building and Zoning Committee presents herewith a Resolution on Zoning Case #3571 B relating to text amendments to the Lake County Unified Development Ordinance.

Your Department of Planning, Building and Development has recommended that these amendments be adopted; on the motion to adopt the proposed text changes attached as Exhibit A, your Zoning Board of Appeals vote is 8 "Ayes" and 0 "Nays"; the Planning, Building and Zoning Committee recommends by a vote of 7-0 the amendments attached as Exhibit B be adopted.

- An "Aye" vote on the motion shall operate in favor of the text change.
- A "Nay" vote on the motion shall operate against the text change.
- A 3/4 (18) affirmative vote is required to approve the change if there is a legal objection on file.

Respectfully submitted,

Aye    Nay

Judy Martinic ✓  
CHAIRPERSON

Samuel K. Keefe ✓  
VICE-CHAIRMAN

Teresa L. Brummett ✓

Robert Salvaggio ✓

[Signature] ✓

[Signature] ✓

William Mounser X

## RESOLUTION

WHEREAS, on May 9, 2006, this County Board adopted a Resolution directing the Zoning Board of Appeals to conduct a public hearing to consider certain amendments to the text of the Lake County Unified Development Ordinance; and

WHEREAS, your Department of Planning, Building and Development has reviewed the proposed amendment and recommends that the text of the Lake County Unified Development Ordinance be amended in accordance with Exhibit A attached hereto; and

WHEREAS, after reviewing the recommendations presented at said hearing, the Lake County Zoning Board of Appeals has submitted its Report thereon to the County Board and its report attached hereto recommends by a vote of 8 to 0 that the text of the Lake County Unified Development Ordinance be amended in accordance with Exhibit A attached hereto; and

WHEREAS, your Planning, Building and Zoning Committee has duly considered the aforementioned recommendations and recommends that the text of the Lake County Unified Development Ordinance be amended in accordance with Exhibit B attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board that the amendments contained in Exhibit B, attached hereto and hereby made a part of this Resolution be, and are hereby adopted and made a part of the Lake County Unified Development Ordinance; and

BE IT FURTHER RESOLVED that the Clerk of the County Board shall keep a record of this action.

DATED AT WAUKEGAN, LAKE COUNTY, ILLINOIS, this 10<sup>th</sup> day of October, 2006.

**Exhibit B:**  
**Planning, Building and Zoning Committee Recommendations**  
**ZBA #3571B**

**Amend Article 9, Table 9.9-1/General Development Standards/Signs/Permitted Sign Types/Freestanding and Building Signs to allow an "Electronic Message Board" sign by right in the Nonresidential and Institutional Zoning District Classes, subject to listed standards.**

**Amend Article 9, Section 9.9.7.E/General Development Standards/Signs/Permitted Sign Types/Special Sign Standards to add a new subsection 11 entitled "Electronic Message Boards" as follows:**

**11. Electronic Message Boards**

Electronic Message Boards are allowed subject to the following standards:

- a. The electronic message board component of a sign may comprise no more than 60% of a sign's total allowed sign face area.
- b. Freestanding electronic message boards must be mounted on a base with a width that is at least 75% of the width of the sign's face, based on the greatest horizontal dimension of the sign face.
- c. The maximum height of the electronic message board component of a freestanding sign shall be 12 feet as measured from the ground elevation to the highest point on the electronic message board component.
- d. The message area of an electronic message board sign may be illuminated by incandescent lamps, LEDs (light emitting diodes) or magnetic discs. Whatever the light source, undue brightness is prohibited. For the purpose of enforcing this provision, "undue brightness" will be construed to mean illumination of a white portion of the sign in excess of the intensity levels specified below:

<u>DAY:</u>	<u>5000 nits</u>
<u>NIGHT:</u>	<u>1000 nits</u>

To ensure compliance with this provision, the sign must have an automatic phased proportional dimmer, which must be used to reduce nighttime brightness levels (compared to daytime brightness levels). Further, prior to the issuance of a permit for an electronic message board sign, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Planning, Building and Development Director.

- e. Any individual letter scrolling or otherwise displayed on the electronic message board shall remain illuminated and visible for at least 2 seconds.
- f. The message shall not flash. Any message that remains visible for less than 2 seconds shall be considered as flashing.
- g. A zoning lot shall be allowed one message board. A message board sign shall be allowed along a collector or arterial street, but shall not be allowed along a local street.
- h. Electronic message board signs are prohibited within 100 feet of a principal residential structure if any part of the sign face would be visible from the principal residential structure.

Commentary: At the time of filing the application, the applicant will have to demonstrate that standard "h" is met. This may be accomplished either by showing that this standard is not applicable or by submitting a landscape plan or a plan referencing other means of screening that would buffer the sign face from the principal residential structure.

***Amend Article 14, Section 14.2/Definitions/Terms Defines as follows:***

**Animated Sign**

Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

**Changeable Copy Sign**

A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, ~~not including~~ The term "changeable copy sign" expressly excludes animated signs, and time/temperature signs and electronic message boards. A sign where the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for

~~the purposes of this section. A sign where the only copy that changes is an electronic or mechanical indication of time and/or temperature shall be considered a time/temperature sign and not a changeable copy sign.~~

**Electronic Message Board**

A sign or component of a sign that uses changing lights to form a message or series of messages that are electronically programmed or modified by electronic processes.

**Flashing Sign**

A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. Electronic message boards and time/temperature signs that are operated in accordance with all applicable regulations shall not be considered "flashing signs".

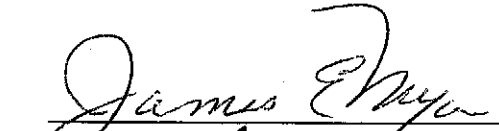
COUNTY BOARD, LAKE COUNTY, ILLINOIS

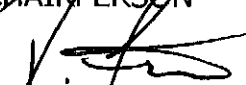
MS. CHAIRPERSON AND MEMBERS OF THE COUNTY BOARD:


Pursuant to State Statutes and following proper publication of public notice, a public hearing has been held by the Lake County Zoning Board of Appeals on May 31, 2006, in the County Administration Building, Waukegan, Illinois, relative to a Resolution adopted by the Lake County Board on May 9, 2006, directing the Zoning Board of Appeals to conduct a public hearing to consider certain amendments to the text of the Lake County Unified Development Ordinance, Section 9.9.

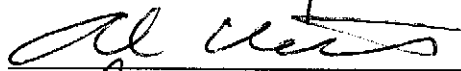
The proceedings of this public hearing were electronically recorded and are available for public review at the office of the Lake County Zoning Board of Appeals.

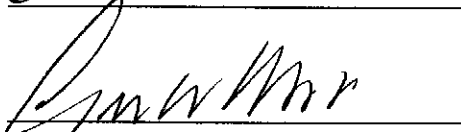
At the Review Meeting held on September 7, 2006 after a final review of all evidence and testimony presented on this matter, a motion was made by Member Van Erden and seconded by Member Raymond to recommend that the amendments attached hereto as Exhibit A be adopted Voting "Aye" on this motion were Members Bell, Freese, Koeppen, Raymond, Stimpson, Van Erden, Westerman and Morgan. Voting "Nay", none. The motion to recommend adoption passed by a vote of 8-0.

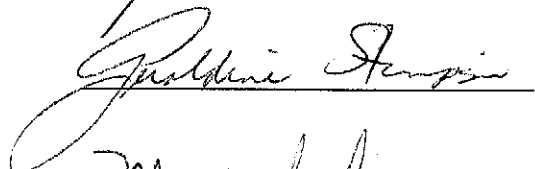
  
CHAIRPERSON

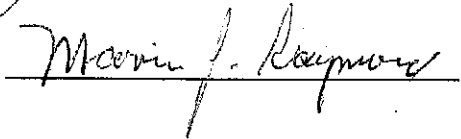
  
VICE-CHAIRMAN











Dated this 11<sup>th</sup> day of September 2006.

**Exhibit A  
ZBA #3571 B**

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- g. A zoning lot shall be allowed one message board for each collector or arterial street frontage. Such signs shall not front on a local street.
- h. Electronic message board signs are prohibited within 100 feet of a principal residential structure if any part of the sign face would be visible from the principal residential structure.

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