

VILLAGE OF GLENCOE
ZONING COMMISSION

MONDAY, APRIL 4, 2011
7:30 P.M.

Regular Meeting
Village Hall Council Chamber
675 Village Court

The Village of Glencoe 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 contact the Village of Glencoe at least 72 hours in advance of the meeting at (847) 835-4111, or please contact the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.

A G E N D A

1. CALL TO ORDER AND ROLL CALL

Barbara Miller, Chair
James Clark
David Friedman
Ed Goodale
Jim Nyeste
Howard Roin
Steve Ross

2. CONSIDERATION OF THE MINUTES OF MEETING OF THE MARCH 7, 2011 ZONING COMMISISON.

A copy of the March 7, 2011 meeting minutes is attached on yellow paper.

3. PUBLIC COMMENT TIME.

4. CONTINUATION OF PUBLIC HEARING TO MAKE RECOMMENDATION TO THE VILLAGE BOARD OF TRUSTEES REGARDING ALLOWING COMMERCIAL USES AT THE GLENCOE TRAIN STATION.

The Agenda Supplement for this request is attached on goldenrod paper.

5. PUBLIC HEARING TO MAKE RECOMMENDATION TO THE VILLAGE BOARD OF TRUSTEES REGARDING THE TIME SPAN POLITICAL SIGNS CAN BE DISPLAYED TO CONFORM TO STATE OF ILLINOIS PUBLIC ACT 96-904.

The Agenda Supplement for this request is attached on green paper.

6. ADJOURNMENT.

VILLAGE OF GLENCOE
ZONING COMMISSION

PUBLIC HEARING
MARCH 7, 2010

1. CALL TO ORDER.

A meeting of the Zoning Commission of the Village of Glencoe was called to order at 8:05 p.m. Monday, March 7, 2011 in the Glencoe Village Hall, 675 Village Court, Glencoe, Illinois.

2. ROLL CALL

The following were present:

Chair, Barbara Miller

Members: James Clark, David Friedman, Ed Goodale, Jim Nyeste, Howard Roin and Steve Ross

The following were absent:

None.

The following Village staff were present:

John Houde, Building & Zoning Administrator

Andrew Fiske, Representative of Village Attorney

3. PUBLIC HEARING TO MAKE RECOMMENDATIONS TO THE VILLAGE BOARD OF TRUSTEES REGARDING ALLOWING COMMERCIAL USES AT THE GLENCOE TRAIN STATION.

The Chair summarized previously distributed background information as follows for the public hearing:

On November 29, Robert Kowalski and David Dresner of Glencoe Roast, 700 Vernon Avenue, inquired into the possibility of offering limited morning coffee sales at the Glencoe Train Station. The Village Manager noted that commercial sales are not allowed at the Train Station because it is located in the R-C single family district.

Mr. Kowalski and Mr. Dresner followed up with the attached December 3 email indicating an interest in pursuing this concept further.

The historic 1891 Train Station is owned by the Union Pacific Railroad. The Village has an agreement for the building for daily maintenance but not major capital repairs. Leasing of space and revenues would be under Village jurisdiction similar to other train station agreements.

Over the last 20 years staff has received about a half a dozen verbal requests seeking coffee/donut sales at the Train Station which have been denied. The last formal request for a commercial use dates back to a request by Glencoe National Bank (now

Harris Bank) 30+ years ago to place a drive-through bank teller at the station. The bank withdrew its request after public hearings indicated resident and trustee opposition. A later request for a walk-up ATM built into the north wall of the waiting room was also withdrawn by the same bank after Village Board opposition.

A survey was made of area town train station commercial uses and distributed to Zoning Commission members.

The Train Station is zoned R-C single family and is listed as a special use permit item in Section 3-103 of the Zoning Code. Railroad Passenger Station is defined as:

A building serving railway patrons and excluding all business, wholesale, and industrial uses except the sale of tickets, newspapers and magazines, express and baggage handling services, porter services, telephone and telegraph services, and vending machines, all of which permitted sales and services shall be carried on within the building or, in the case of telephone services, within 150 feet of any passenger station building.

Temporary or permanent commercial sales are not permitted at the Train Station because of these zoning restrictions.

Amendments to the Zoning Code require a public hearing and consideration by the Zoning Commission..

As specified in the referral resolution, it is anticipated that the Zoning Commission will conduct the appropriate review and public hearing and deliver its recommendation to the Village Board by May 3, 2011.

The Chair noted the February 17, 2011 Glencoe News contained the notice of public hearing and 40 area neighbors, local coffee shops, the Glencoe Chamber of Commerce, the Glencoe Historical Society, and members of the Historic Preservation Commission were notified.

The Chair opened the hearing to public testimony, all those planning to speak were sworn in.

Julian Berman, 265 Beach Road, provided background on a 30 year old request from Glencoe National Bank (now Harris Bank) for a drive-by teller on the east side of the train station building. He spoke opposing coffee sales in the train station. He noted there are no commercial uses east of the railroad tracks.

James De Witt, 240 Beach Road, spoke opposing opening the building for commercial uses. He noted he moved from Evanston and that these types of small changes eroded zoning in Evanston over time. He felt this use would redefine Glencoe in a negative sense. He expressed concern about the clean-up of the building from the use.

Bob Ury, 263 Dennis Lane, was involved 30 years ago and 10 years ago when there were proposed banking uses that were opposed and then withdrawn by the bank. He opposed introducing a commercial use in a residential zone. Possibly a coffee cart only

with no other commercial uses would be okay.

David Dresner, 614 Sheridan Road, had worked with Glencoe Roast Coffee (though he is not an employee) to bring convenience and joy to those who use the station with a coffee/pastry cart. He said he understands that a bank use would be objectionable. He hoped for the opportunity to proceed.

Klaus Muller-Bergh, 246 Dennis Lane, said he has lived here for 11 years. He noted there formerly were two coffee houses in Glencoe, Caribou Coffee and Starbucks Coffee. He noted concern over the increased commercialization in Glencoe and the overbuilding of large houses. He noted opposition to putting a commercial use in the train station. He noted concern that more crowds might be attracted to the station than is currently the case.

Eileen Sirkin, 782 Glencoe Drive, spoke in favor of coffee cart sales at the train station.

Mrs. Hertsberg, 312 Brookside Lane, noted she was a coffee drinker. She thought that a need could be established at the station as long as the commercial use is limited to the coffee /sweet roll concept only.

Mr. Berman spoke noting that this proposal would be like introducing spot zoning to the station.

Zoning Commission members publicly discussed various items relating to a possible coffee/pastry cart at the train station.

Mr. DeWitt added a comment that the Glencoe train station is not inside the business district as it is in Highland Park, Lake Forest, Winnetka, and Wilmette.

Joan Berman, 265 Beach Road, noted there was no clear benefit to the commuters but that there is a negative aspect to those that reside in the homes nearby.

After further Zoning Commission discussion, Andrew Fiske of the Village Attorney's office was directed to draft for the April 4 meeting a draft ordinance amendment that would allow temporary coffee/pastry cart sales at the train station not requiring a special use permit. It would include several narrowly defined uses, times, and other limitations that would be reviewed further at the April 4, 2011 meeting.

A motion was made and approved to continue the meeting to April 4, 2011.

There being no further business to come before the Zoning Commission the meeting was adjourned at 9:38 P.M.

John Houde, Secretary



Village of Glencoe

Zoning Commission Memorandum

DATE PREPARED: March 23, 2011

MEETING DATE: April 4, 2011

AGENDA SUBJECT: Continuation of public hearing to make recommendations regarding allowing commercial use(s) at the Glencoe Train Station.

RECOMMENDATION: **That the Zoning Commission continue its public hearing and that it make a recommendation to the Village Board.**

Background:

On November 29, Robert Kowalski and David Dresner of Glencoe Roast, 700 Vernon Avenue, inquired into the possibility of offering limited morning coffee sales at the Glencoe Train Station. The Village Manager noted that commercial sales are not allowed at the Train Station because it is located in the R-C single family district.

Mr. Kowalski and Mr. Dresner followed up with the attached December 3 email indicating an interest in pursuing this concept further.

The historic 1891 Train Station is owned by the Union Pacific Railroad. The Village has an agreement for the building for daily maintenance but not major capital repairs.

Over the last 20 years staff has received about a half a dozen verbal requests seeking coffee/donut sales at the Train Station which have been denied. The last formal request for a commercial use dates back to a request by Glencoe National Bank (now Harris Bank) 30+ years ago to place a drive-through bank teller at the station. The bank withdrew its request after public hearings indicated resident and trustee opposition. A later request for a walk-up ATM built into the north wall of the waiting room was also withdrawn by the same bank after Village Board opposition.

A legal notice was published in the February 17, 2011 Glencoe News regarding the March 7, 2011 public hearing. Notification was also made by mail to 40 area neighbors,

local coffee shops, the Glencoe Chamber, the Glencoe Historical Society, and the Historic Preservation Commission members.

A previously distributed survey was made of area town train station commercial uses. Also previously sent were photographs of the exteriors and interiors of several of the immediately neighboring stations.

At the March 7 public hearing Andrew Fiske was requested to prepare a draft ordinance amendment which is attached for consideration and discussion at the April 4 meeting. The Village Attorney noted that certain license agreement details to be negotiated with the Village Board would ultimately be in the agreement with the cart operator including where at the station the cart can be located; where, how, and when the cart can be unloaded and loaded at the station; compensation amount to the Village; insurance and indemnification requirements, etc.

Andrew Fiske from our Village Attorney's office will again be at the meeting to review and/or answer any questions.

Analysis:

The Train Station is zoned R-C single family and is listed as a special use permit item in Section 3-103 of the Zoning Code. Railroad Passenger Station is defined as:

A building serving railway patrons and excluding all business, wholesale, and industrial uses except the sale of tickets, newspapers and magazines, express and baggage handling services, porter services, telephone and telegraph services, and vending machines, all of which permitted sales and services shall be carried on within the building or, in the case of telephone services, within 150 feet of any passenger station building.

Temporary or permanent commercial sales are not permitted at the Train Station because of these zoning restrictions.

Amendments to the Zoning Code require a public hearing and consideration by the Zoning Commission. A copy of the referral resolution to the Village Zoning Commission to review and make recommendation to allow commercial uses at the Glencoe Train Station was previously distributed.

As specified in the referral resolution, it is anticipated that the Zoning Commission will conduct the appropriate review and public hearing and deliver its recommendation to the Village Board by May 3, 2011.

Recommendation:

Staff recommends that the Zoning Commission continue its public hearing and make its recommendations to the Village Board regarding commercial use(s) at the Glencoe Train Station.

VILLAGE OF GLENCOE

ORDINANCE NO. 2011-_____-_____

**AN ORDINANCE AMENDING SECTION 5-102 OF THE
GLENCOE ZONING CODE RELATING TO
THE TEMPORARY USE OF A FOOD SERVICE CART
AT THE VILLAGE TRAIN STATION**

WHEREAS, Section 5-102 of the Glencoe Zoning Code regulates temporary uses in all districts of the Village; and

WHEREAS, the regulation of temporary uses is essential to supporting the objectives of the Zoning Code and the Comprehensive Plan, to preserve and enhance the appearance and safety of the Village, and to protect the property values of Glencoe; and

WHEREAS, the Village Board referred to the Zoning Commission proposed amendments to the Village's Zoning Code regarding the operation of a portable food cart at the Village's Train Station; and

WHEREAS, pursuant to notice duly published in the *Glencoe News*, the Zoning Commission of the Village of Glencoe did on March 7, 2011 commence a public hearing on possible modifications to the Glencoe Zoning Code regarding the operation of a portable food cart at the Glencoe passenger railroad station, which public hearing concluded on [April 4, 2011]; and

WHEREAS, based on the evidence presented at that public hearing, the Zoning Commission recommended approval of an amendment to the Zoning Code regarding the temporary use of a food cart at the Glencoe passenger railroad station; and

WHEREAS, having considered the recommendations of the Zoning Commission, the President and Board of Trustees have determined that the best interests of the Village and its residents will be served by amending the Village's Zoning Code as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glencoe, County of Cook, State of Illinois, as follows:

SECTION ONE: **Recitals.** The foregoing recitals are by this reference made a part of this Ordinance as if fully set forth in this Section.

SECTION TWO: **Amendment to Section 8-302 of the Glencoe Zoning Code.**
Section 8-302, entitled "Definitions," of Article VIII, entitled "Applicability, Scope, and Construction," of the Glencoe Zoning Code, shall be and is hereby amended by adding a new definition for the term "Railroad Station Coffee Cart" in correct alphabetical order within Section 8-302 as follows:

"RAILROAD STATION COFFEE CART: A portable, non-motorized, rolling cart measuring no larger than [feet] in height, [feet] in width and [feet] in depth that is temporarily located inside of or under the roof line of a passenger railroad station for the purpose of conducting sales to railroad passengers during weekday mornings of the following types of food items: [coffee, tea, hot chocolate, juice, milk, water, soft drinks, baked goods (including cookies, muffins, bagels, rolls, donuts, scones, pastries and related spreadable items such as butter, cream cheese, jellies and jams), fresh fruit, bagged snacks, and ice cream]."

SECTION THREE: **Amendments to Section 5-102D of the Glencoe Zoning Code.**
Subsection D, entitled "Permitted Temporary Uses," of Section 5-102, entitled "Temporary Uses," of Article 5, entitled "Regulations of General Applicability," of the Glencoe Zoning Code, shall be and is hereby amended to add a new paragraph 9, entitled "Train Station Coffee Cart", which new paragraph hereafter will be and read as follows:

"(9) Railroad Station Coffee Cart. In the R-C Residential District at the Glencoe passenger railroad station subject to the specific prior approval of the Village Manager on the basis of the adequacy of public access provisions, public health safeguards, litter controls, the absence of undue adverse impacts on the passenger railroad station and other neighboring properties, and the execution of a license agreement by and between the cart operator and the Village on terms acceptable to the Village Manager. The Railroad Station Coffee Cart shall operate only on Mondays through Fridays between the hours of [5:30 a.m. and 11:00 a.m.], and must be rolled when entering and exiting the passenger railroad station. All food items and equipment related to the Railroad Station Coffee Cart must be stored and displayed on or within the cart itself and may not be stored or displayed in any other location at the passenger railroad station. The

Railroad Station Coffee Cart and all related food items, equipment, materials, litter, or other debris, must be removed from the passenger railroad station by the cart operator at the end of each day. Notwithstanding the provisions of Paragraph 5-102F7 of this Section, the Railroad Station Coffee Cart may include only one (1) temporary use sign identifying the prices of items for sale and the name of the cart operator, provided that the sign must be attached to or displayed on the cart itself and be no larger than [3 square feet] in area."

SECTION FOUR: **Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, publication in pamphlet form, and posting in the manner provided by law.

PASSED THIS ____ DAY OF _____, 2011.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ DAY OF _____, 2011.

ATTEST:

Village President

Village Clerk

Published in pamphlet form this ____ day of _____, 2011.

Village Clerk

Posted this ____ day of _____, 2011.

Village Clerk

Approved as to form.

Village Attorney



Village of Glencoe

Zoning Commission Memorandum

DATE PREPARED: March 23, 2011

MEETING DATE: April 4, 2011

AGENDA SUBJECT: Village Board referral for public hearing to make recommendations to modify Political Sign Provisions to comply with Illinois Public Act 96-904.

RECOMMENDATION: **That the Zoning Commission hold a public hearing and recommend Village Board adoption of a draft Zoning Code amendment.**

Background: In 2010 the Illinois General Assembly amended the zoning authority of Illinois municipalities effective January 1, 2011 with respect to the length of time political campaign signs can be exhibited on private property. The new state requirements do not permit municipalities to place time limits on how long political signs can be displayed on private property. The Village sign provisions allow political campaign signs to be displayed starting at the time candidates are certified in accordance with the Illinois Election Code and no longer than seven days after the election.

Attached is a copy of the March 17, 2011 Glencoe News legal notice of the public hearing and the current Zoning Code language for political signs.

Analysis: In order for Village Zoning Code provisions to be consistent with State laws, the Village Attorney has recommended that these changes be made. Zoning Code changes require a referral from the Village Board to permit a public hearing to be scheduled. A copy of the recommended draft Zoning Code amendment from the Village Attorney is attached. The Zoning Commission would then make recommendations for these changes to be made consistent with State law.

Recommendation: Staff recommends that the Zoning Commission hold its April 4 public hearing and that it makes a recommendation to the Village Board to adopt the recommended Zoning Code amendment for political signs.

RESOLUTION NO.

**A RESOLUTION REFERRING PROPOSED ZONING CODE
AMENDMENTS TO THE VILLAGE ZONING COMMISSION
REGARDING POLITICAL SIGNS**

WHEREAS, the Village's Zoning Code currently contains regulations relating to various political signs, including campaign signs; and

WHEREAS, pursuant to P.A. 96-904, the Illinois General Assembly has amended the zoning authority of Illinois municipalities, effective 1 January 2011, with respect to durational restrictions on political campaign signs, although P.A. 96-904 also expressly authorized municipalities to impose reasonable regulations with respect to the size of such political campaign signs; and

WHEREAS, although the Village's current political sign regulations appear to be consistent with the legislative objectives of P.A. 96-904, the current sign regulations require modification to comply strictly with the terms of P.A. 96-904; and

WHEREAS, the Village Board of Trustees has also determined that it is in the public interest to amend the Zoning Code by modifying the Village's current political sign regulations to conform strictly to the terms of P.A. 96-904;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLENCOE, COUNTY OF COOK, STATE OF ILLINOIS, as follows:

SECTION ONE: RECITALS. The foregoing recitals are incorporated in, and made a part of, this Resolution by this reference as findings of the Village Board of Trustees of the Village of Glencoe.

SECTION TWO: REFERRAL TO ZONING COMMISSION. The President and Board of Trustees hereby authorize and direct the Zoning Commission to conduct a public hearing and thereafter to make recommendations on amendments to the political sign regulations in the Zoning Code to comply with the terms of P.A. 96-904 while maintaining to the greatest extent possible the policy objectives of the current political sign regulations of the Village.

SECTION THREE: ACTION TIMETABLE. The Zoning Commission shall conduct the public hearings on possible amendments to the Zoning Code relating to political signs at its earliest opportunity and shall deliver its recommendation to the Village Board expeditiously, but in no event later than *May 19, 2011*.

SECTION FOUR: EFFECTIVE DATE. This Resolution shall be in full force and effect upon its passage and approval in the manner provided by law.

PASSED THIS 17 DAY OF FEB, 2011.

AYES:

NAYS:

ABSENT:

APPROVED THIS 17 DAY OF FEB, 2011.

Village President

ATTEST:

Village Clerk

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See 3rd
Page

Public Act 096-0904

HB3785 Enrolled

LRB096 08775 RLJ 18907 b

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Municipal Code is amended by changing Section 11-13-1 as follows:

(65 ILCS 5/11-13-1) (from Ch. 24, par. 11-13-1)

Sec. 11-13-1. To the end that adequate light, pure air, and safety from fire and other dangers may be secured, that the taxable value of land and buildings throughout the municipality may be conserved, that congestion in the public streets may be lessened or avoided, that the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters may be lessened or avoided, and that the public health, safety, comfort, morals, and welfare may otherwise be promoted, and to insure and facilitate the preservation of sites, areas, and structures of historical, architectural and aesthetic importance; the corporate authorities in each municipality have the following powers:

(1) to regulate and limit the height and bulk of buildings hereafter to be erected;

(2) to establish, regulate and limit, subject to the provisions of Division 14 of this Article 11, the building or set-back lines on or along any street, traffic-way,

drive, parkway or storm or floodwater runoff channel or basin;

(3) to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of open spaces, within and surrounding such buildings;

(4) to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential, and other uses;

(5) to divide the entire municipality into districts of such number, shape, area, and of such different classes (according to use of land and buildings, height and bulk of buildings, intensity of the use of lot area, area of open spaces, or other classification) as may be deemed best suited to carry out the purposes of this Division 13;

(6) to fix standards to which buildings or structures therein shall conform;

(7) to prohibit uses, buildings, or structures incompatible with the character of such districts;

(8) to prevent additions to and alteration or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed under this Division 13;

(9) to classify, to regulate and restrict the use of property on the basis of family relationship, which family relationship may be defined as one or more persons each

related to the other by blood, marriage or adoption and maintaining a common household;

(10) to regulate or forbid any structure or activity which may hinder access to solar energy necessary for the proper functioning of a solar energy system, as defined in Section 1.2 of the Comprehensive Solar Energy Act of 1977;

(11) to require the creation and preservation of affordable housing, including the power to provide increased density or other zoning incentives to developers who are creating, establishing, or preserving affordable housing; and

(12) to establish local standards solely for the review of the exterior design of buildings and structures, excluding utility facilities and outdoor off-premises advertising signs, and designate a board or commission to implement the review process; except that, other than reasonable restrictions as to size, no home rule or non-home rule municipality may prohibit the display of outdoor political campaign signs on residential property during any period of time, the regulation of these signs being a power and function of the State and, therefor, this item (12) is a denial and limitation of concurrent home rule powers and functions under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

The powers enumerated may be exercised within the corporate limits or within contiguous territory not more than one and

one-half miles beyond the corporate limits and not included within any municipality. However, if any municipality adopts a plan pursuant to Division 12 of Article 11 which plan includes in its provisions a provision that the plan applies to such contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality, then no other municipality shall adopt a plan that shall apply to any territory included within the territory provided in the plan first so adopted by another municipality. No municipality shall exercise any power set forth in this Division 13 outside the corporate limits thereof, if the county in which such municipality is situated has adopted "An Act in relation to county zoning", approved June 12, 1935, as amended. Nothing in this Section prevents a municipality of more than 112,000 population located in a county of less than 185,000 population that has adopted a zoning ordinance and the county that adopted the zoning ordinance from entering into an intergovernmental agreement that allows the municipality to exercise its zoning powers beyond its territorial limits; provided, however, that the intergovernmental agreement must be limited to the territory within the municipality's planning jurisdiction as defined by law or any existing boundary agreement. The county and the municipality must amend their individual zoning maps in the same manner as other zoning changes are incorporated into revised zoning maps. No such intergovernmental agreement may authorize a municipality to

exercise its zoning powers, other than powers that a county may exercise under Section 5-12001 of the Counties Code, with respect to land used for agricultural purposes. This amendatory Act of the 92nd General Assembly is declarative of existing law. No municipality may exercise any power set forth in this Division 13 outside the corporate limits of the municipality with respect to a facility of a telecommunications carrier defined in Section 5-12001.1 of the Counties Code.

Notwithstanding any other provision of law to the contrary, at least 30 days prior to commencing construction of a new telecommunications facility within 1.5 miles of a municipality, the telecommunications carrier constructing the facility shall provide written notice of its intent to construct the facility. The notice shall include, but not be limited to, the following information: (i) the name, address, and telephone number of the company responsible for the construction of the facility and (ii) the address and telephone number of the governmental entity that issued the building permit for the telecommunications facility. The notice shall be provided in person, by overnight private courier, or by certified mail to all owners of property within 250 feet of the parcel in which the telecommunications carrier has a leasehold or ownership interest. For the purposes of this notice requirement, "owners" means those persons or entities identified from the authentic tax records of the county in which the telecommunications facility is to be located. If,

after a bona fide effort by the telecommunications carrier to determine the owner and his or her address, the owner of the property on whom the notice must be served cannot be found at the owner's last known address, or if the mailed notice is returned because the owner cannot be found at the last known address, the notice requirement of this paragraph is deemed satisfied. For the purposes of this paragraph, "facility" means that term as it is defined in Section 5-12001.1 of the Counties Code.

If a municipality adopts a zoning plan covering an area outside its corporate limits, the plan adopted shall be reasonable with respect to the area outside the corporate limits so that future development will not be hindered or impaired; it is reasonable for a municipality to regulate or prohibit the extraction of sand, gravel, or limestone even when those activities are related to an agricultural purpose. If all or any part of the area outside the corporate limits of a municipality which has been zoned in accordance with the provisions of this Division 13 is annexed to another municipality or municipalities, the annexing unit shall thereafter exercise all zoning powers and regulations over the annexed area.

In all ordinances passed under the authority of this Division 13, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantage of the entire

municipality and the uses to which the property is devoted at the time of the enactment of such an ordinance. The powers conferred by this Division 13 shall not be exercised so as to deprive the owner of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted, but provisions may be made for the gradual elimination of uses, buildings and structures which are incompatible with the character of the districts in which they are made or located, including, without being limited thereto, provisions (a) for the elimination of such uses of unimproved lands or lot areas when the existing rights of the persons in possession thereof are terminated or when the uses to which they are devoted are discontinued; (b) for the elimination of uses to which such buildings and structures are devoted, if they are adaptable for permitted uses; and (c) for the elimination of such buildings and structures when they are destroyed or damaged in major part, or when they have reached the age fixed by the corporate authorities of the municipality as the normal useful life of such buildings or structures.

This amendatory Act of 1971 does not apply to any municipality which is a home rule unit, except as provided in item (12).

(Source: P.A. 94-303, eff. 7-21-05; 95-475, eff. 1-1-08.)

VILLAGE OF GLENCOE
GLENCOE, ILLINOIS
ZONING COMMISSION
Notice of Public Hearing
April 4, 2011

Notice is hereby given of a public hearing to be held by the Zoning Commission of the Village of Glencoe, Cook County, Illinois at 7:30 P.M., local time on Monday, April 4, 2011 in the Council Chamber of the Village Hall, 675 Village Court, Glencoe, Illinois, to consider: possible amendments to the Zoning Code political sign restrictions to comply with the terms of Illinois Public Act 96-904 relating to the elimination of time limits for the outdoor display of political signs on residential property.

All persons interested are urged to be present and will be given an opportunity to be heard.

Zoning Commission
John Houde, Building & Zoning Administrator

March 17, 2011

VILLAGE OF GLENCOE

ORDINANCE NO. 2011-_____

**AN ORDINANCE AMENDING SECTION 5-105 OF THE
GLENCOE ZONING CODE RELATING TO POLITICAL SIGNS**

WHEREAS, Section 5-105 of the Glencoe Zoning Code regulates signs in all districts of the Village; and

WHEREAS, the regulation of signs is essential to supporting the objectives of the Zoning Code and the Comprehensive Plan, to preserve and enhance the appearance and safety of the Village, and to protect the property values of Glencoe; and

WHEREAS, all signs within the Village should be compatible with existing land uses and/or buildings with regard to size, location, color, construction, materials, and the time and manner of display; and

WHEREAS, the Village also wishes to guarantee the First Amendment rights of those who wish to express themselves through the use of signs containing specific messages; and

WHEREAS, Public Act 96-904 amended the Illinois Municipal Code to prohibit municipalities from imposing durational limitations on the display of outdoor political campaign signs; and

WHEREAS, the Village wishes to ensure that the Zoning Code comports with the requirements of Public Act 96-904; and

WHEREAS, the Village Board referred to the Zoning Commission proposed amendments regarding political signs to the Village's sign regulations of the Glencoe Zoning Code; and

WHEREAS, pursuant to notice duly published in the *Glencoe News*, the Zoning Commission of the Village of Glencoe did on April 4, 2011 commence a public hearing on possible modifications to the Glencoe Zoning Code regarding political signs, which public hearing concluded on April 4, 2010; and

WHEREAS, based on the evidence presented at that public hearing, the Zoning Commission recommended approval of various amendments regarding political signs to the sign regulations of the Zoning Code; and

WHEREAS, having considered the recommendations of the Zoning Commission, the President and Board of Trustees have determined that the best interests of the Village and its residents will be served by amending the Village's sign regulations as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glencoe, County of Cook, State of Illinois, as follows:

SECTION ONE: **Recitals.** The foregoing recitals are by this reference made a part of this Ordinance as if fully set forth in this Section.

SECTION TWO: **Amendments to Section 5-105 of the Glencoe Zoning Code.**
Section 5-105, entitled "Signs," of Article 5, entitled "Regulations of General Applicability," of the Glencoe Zoning Code, shall be and is hereby amended in the following respects:

(a) Subparagraph (p), entitled "Political Sign," of Paragraph 1, entitled "Functional Types," of Subsection 5-105.D, entitled "Classification of Signs," is hereby amended in its entirety so that Subparagraph 5-105.D.1(p) hereafter will be and read as follows:

(p) **Political Signs.**

1. **Election Political Campaign Sign.** A temporary sign announcing or supporting political candidates or issues in connection with any national, State, or local election. ~~Election signs~~ **Political Campaign Signs** include only those signs specifically advocating on behalf of a person, or a position on a question, to ~~be~~ considered by voters on a ballot that has been certified in accordance with the Illinois Election Code.

2. **Political Message Sign.** A sign other than an ~~election a~~ **Political Campaign Sign** sign expressing a noncommercial message regarding an issue or person of political or public concern.

(b) Paragraph 12, entitled "Political Signs," of Subsection 5-105.F, entitled "Signs Permitted in Any District Without Certificate of Zoning Compliance or Fee," is hereby amended in its entirety so that Paragraph 5-105-F-12 hereafter will be and read as follows:

12. Political Signs. [Defined 5-105.D.1(p)]

a. ~~Election Signs and Message~~ Political Signs of less than six square feet and four feet in height per sign may be located within the lot lines of any lot pursuant to the consent of the lot's owner and the requirements established* in this Paragraph 5-105.F.12.

b. Unless an ~~Election Sign or Message~~ a Political Sign includes on the sign face the name of the person responsible for the sign, the owner of the lot on which the sign is located shall be deemed responsible for the sign.

c. ~~Election Signs and Message~~ Political Signs shall be exempted from any regulations regarding sign colors, but not regulations relating to illumination of signs.

d. Message Political Signs are permitted at all times ~~and are exempted from permit requirements at all times but must be maintained in good physical condition.~~

e. ~~Not more than one (1) Election Sign shall be permitted on any property per candidate or referendum position in an election contest. There shall be no limit on the number of Message Signs, but no lot may display more than 30 square feet of Message Signs.~~ Political Campaign Signs of less than six square feet in area and four feet in height per candidate or issue per lot may be displayed.

f. ~~Message Signs may not be displayed in any required yard on a lot. Election Signs are permitted in a required yard, but not in the public right-of-way. (Message sign defined (5-105-D-1-(p)-2).~~ Except as provided in Subparagraph 5-105.F.12(g), the total area of Political Signs shall not exceed a total of 30 square feet in area per zoning lot, and the total area of Political Signs that may be located within any required yard is zero square feet.

g. ~~An Election Sign must be removed immediately, but in no event later than seven days, following the election to which it applies. Nothing in this Chapter precludes the relocation of an Election Sign so that it may remain as a Message Sign.~~ Notwithstanding the size limitations contained in Subparagraph 5-105.F.12(f), from the date a ballot for any particular election has been certified until seven days after such election occurs, in addition to the amount of signage authorized in Subparagraph 5-105.F.12(f), Political Campaign Signs that meet the criteria established in Subparagraph 5-

105.F.12(e) may be located within the required yard with no limitations on total square feet per zoning lot.

h. Election Signs and Message Political Signs may be window signs or any other structural types permitted in the district, but must comply with the size, total area, and location limitations of this Paragraph 5-105.F.12. ~~limitations of Subparagraph 5-105F12(a), the number limitations of Subparagraph 5-105F12(e), and the location limitations of Subparagraph 5-105F12(f).~~

i. Political Signs must be located entirely on private property. No Political sign may be located within a public or private right-of-way.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect upon its passage, approval, publication in pamphlet form, and posting in the manner provided by law.

PASSED THIS _____ DAY OF _____, 2011.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2011.

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2011.

Village Clerk

Posted this _____ day of _____, 2011.

Village Clerk