

secures, at the time of application, a signed verification from the carrier that such notice has been or will be provided. The Department urges all carriers to provide, as part of such notice, a site location map and a description of the proposed attributes of the tower, including the tower height and the tower location.

▣ **Do I have the right to object to the tower?**

If a tower requires a height or setback variation, property owners have the opportunity to attend the required public hearing, and state their objections on the record. In the absence of a variation, property owners are encouraged to contact Zoning Administration if they have any concerns about the proposed tower. Although the County has no authority to deny a permit application for new towers, the County has had success in the past in minimizing the visual impact of such facilities through the judicious application of landscaping adjacent to the tower site.



**Planning, Building & Development  
Zoning Administration**

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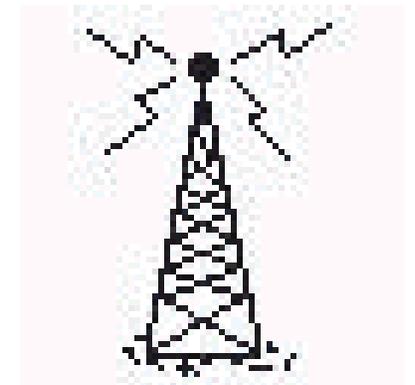
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# Zoning Requirements Telecommunications Facilities

(in unincorporated Lake County)



## Zoning Requirements

# Telecommunications Facilities (in unincorporated Lake County)

### What is a Telecommunication Facility?

The term “telecommunication facility” refers to Cellular Communications Towers or “cell towers”, and all ancillary equipment.

### What is Lake County’s Policy on Telecommunications Facilities?

Although Lake County recognizes the value in cellular communications technology, it is Lake County’s desire to minimize the erection of new cellular communication towers. To that end, the County encourages new antennas to be located on existing, permitted structures. When this is not possible or practical, a lot located outside a residential zoning district is the most desirable location. A lot within a residential zoning district that is not used for residential purposes is the next most desirable location. The least desirable allowed location is a residentially zoned lot of more than 2 acres which is used for residential purposes.

### Where are Telecommunications Facilities allowed in Unincorporated Lake County?

Under the Illinois State Statutes, 55 ILCS 5/5-12001.1, telecommunications towers are exempt from county zoning regulations with the exception of height and setbacks. Therefore, telecommunications towers are permitted by statute at any location in unincorporated Lake County, provided certain requirements are met.

### What are the Specific Zoning Requirements for such Facilities?

Statute provides that telecommunications towers shall be set back 15 feet from front property lines, and 10 feet from side and rear property lines. In addition:

- If a tower is located in a non-residential zoning district, the tower may be constructed up to 200 feet in height, so long as the tower height is equal to or less than the horizontal separation distance to the nearest principal residence offsite.
- If a tower is located in a residential zoning district, the tower may be constructed up to 75 feet in height. Additionally, the distance from the tower to the nearest property line must be equal to or greater than one-half the height of the tower.
- Landscaping consistent with the County’s landscaping regulations should be located along all elevations of the tower facing an existing, adjoining residential use.
- Site development standards, Article 8 of the UDO, shall be met.

### What is the process for establishing a Telecommunications Facility?

- The applicant shall be required to submit a Zoning Application for Telecommunications Facilities available at <http://lakecountyil.gov/planning/publications/Forms.htm> in order to demonstrate compliance with all setback, height, landscaping and site hierarchy requirements. Pre-application submission requirements and neighbor

notice forms are included in this packet. The applicant shall also file a complete application for a building permit and site development permit.

- Upon submission of a complete application, the Planning, Building and Development Department is required to process and approve the applications within a period not to exceed 30 days per statute.
- The applicant shall be required independently to obtain approvals from the Federal Aviation Administration (FAA) and the Federal Communication Commission (FCC) prior to constructing the telecommunications facility.
- If the applicant requests a variation from the height or setback requirements, and if the County Board fails to act on the variation application within 75 days after its submission, the application shall be deemed to have been approved, per statute.

***Further information about the regulations pertaining to cell towers can be obtained by accessing the Lake County Website at <http://lakecountyil.gov/planning/publications/links.htm> or by calling the Zoning Administration at (847) 377-2875.***

### Other Frequently Asked Questions

- **Would I be notified prior to the construction of a new telecommunications facility in the vicinity of my property?** Illinois Law requires that all carriers notify property owners within 250 feet at least 30 days prior to constructing a tower in the unincorporated area. The Planning, Building and Development Department