

**CITY OF LAKE GENEVA  
PLAN COMMISSION MEETING**

MONDAY, NOVEMBER 17, 2014 - 6:30 PM  
COUNCIL CHAMBERS, CITY HALL

**Agenda**

1. Meeting called to order by Mayor Connors.
2. Roll Call.
3. Approve Minutes of October 20, 2014 Plan Commission meeting as distributed.
4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes.
5. Acknowledgment of Correspondence.
6. Downtown Design Review.
  - A. Application by BMHO Properties, LLC for a change in awning, door, and light shade color from the previous approved colors to red, at Brick and Mortar Home and Outdoor located at, Tax Key No. ZA276000002.
  - B. Application by Chris Cronin, JNB Signs, 1221 Venture Drive, Suite 1, Janesville, WI 53545 for a replacement sign at Starbucks located at 685 Main Street, Tax Key No. ZOP 00285.
7. Discussion and recommendation to modifying Section 98-707, Exterior Lighting Standards and setting a public hearing.
8. Adjournment

**QUORUM OF CITY COUNCIL MEMBERS MAY BE PRESENT**

*Requests from persons with disabilities, who need assistance in order to participate in this meeting, should be made to the City Clerk's office, in order for appropriate accommodations.*

*Posted 11/14/14*

**CITY OF LAKE GENEVA  
PLAN COMMISSION MEETING**

MONDAY, OCTOBER 20, 2014 - 6:30 PM  
COUNCIL CHAMBERS, CITY HALL

**MINUTES**

**1. Meeting called to order by Mayor Connors at 6:30 PM.**

**2. Roll Call**

Present: Al Kupsik, Cindy Flower, John Gibbs, Doug Skates, Sara Adams, Inspector Ken Robers

Also Present: Planner Mike Slavney, Atty. Dan Draper, Mayor Connors, Assistant Gregoles

**3. Approve Minutes of September 15, 2014 Plan Commission meeting as distributed.**

MOTION #1

Kupsik/Flower moved to approve the Minutes of 9/15/14 Plan Commission meeting as distributed.

The motion carried unanimously.

**4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes. None**

**5. Acknowledgment of Correspondence. None**

**6. Review and Recommendation on an Application for Land Division Review for a Certified Survey Map submitted by Richard W Torhorst, P.O. Box 1300, Lake Geneva, WI 53147 for Liquid Capital, LLC, 951-7 S Lake Shore Drive, Lake Geneva, WI 53147 to split a current parcel into three parcels. Current Tax Key Nos. ZYUP 00149D1.**

DISCUSSION

Richard Torhorst addressed the commissioners with a brief overview of the above application.

It was noted by the Mayor that a corrected copy of the CSM was handed out that noted the Storm Water detention easement to benefit lots 1, 2, & 3. (A copy will be included in the final minutes of this meeting.)

MOTION #2

Kupsik/Skates moved to approve recommendation on an Application for Land Division Review for a Certified Survey Map submitted by Richard W Torhorst, P.O. Box 1300, Lake Geneva, WI 53147 for Liquid Capital, LLC, 951-7 S Lake Shore Drive, Lake Geneva, WI 53147 to split a current parcel into three parcels. Current Tax Key Nos. ZYUP 00149D1, including corrected notes regarding the storm water detention easement to benefit lots 1, 2, & 3.

Motion carried unanimously.

**7. Public Hearing and recommendation to modifying Section 98-913, Exterior Colors within the Downtown Design Overlay Zoning District and setting a public hearing.**

DISCUSSION

Brief discussion by Planner Slavney and the commissioners regarding the recommended modifications for the Section 98-913 stated above, specifically related to the Downtown Design Overlay Zoning District.

PUBLIC SPEAKER #1 Peter Jergens / 133 Darwin Street, Lake Geneva (Local Builder)  
Mr. Jergens addressed the commission regarding the details of the modifications, voicing his concerns with the 5% factor, stating that it may not be adequate for businesses in the Downtown Design area.

PUBLIC SPEAKER #2 Thomas George / Business Owner  
Mr. George asked the commission if this change will be retroactive, to bring properties up to standard, for replacement, repaint, renew etc. He also stated his concerns that as a small business owner, there are times that he cannot be in full control of some items materials/sheens etc., which makes it difficult to compete with the multi-billion dollar establishments. He has concern for any small business being relegated to only a certain color base available.

MOTION #3  
Kupsik/Flower moved to close the public hearing. Motion carried unanimously.

DISCUSSION  
Planner Slavney responded to the concerns voiced by the citizens during the Public Hearing. He again gave a brief overview of what this change would include and stated that this will not be retroactive and any change would need to come in front of the Plan Commission for approval. He elaborated on the color wheel choices and that previously it was 75% and now will be expanded to 85% color choices available. Planner Slavney and the commissioners also discussed the reasoning behind choosing 5% as the cut off.

MOTION #4  
Kupsik/Flower moved to approve the recommendation to modify Section 98-913, Exterior Colors within the Downtown Design Overlay Zoning District. The motion carried unanimously.

## **8. Adjournment**

MOTION #5  
Skates/Flower move to adjourn the meeting at 7:08 pm. The motion carried unanimously.

**FARRIS, HANSEN & ASSOC. INC.**

7 RIDGWAY COURT- P.O. BOX 437  
 ELKHORN, WISCONSIN 53121  
 PHONE (262) 723-2098  
 FAX (262) 723-5886

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

OWNER: LIQUID CAPITAL, LLC  
 951-7 SOUTH LAKESHORE DRIVE  
 LAKE GENEVA, WI. 53147

PART OF THE SW 1/4 OF THE NE 1/4  
 SECTION 6, TOWN 1 NORTH, RANGE 18 EAST  
 CITY OF LAKE GENEVA  
 WALWORTH COUNTY, WISCONSIN

**SURVEYORS CERTIFICATE**

I HEREBY CERTIFY THAT AT THE DIRECTION OF LIQUID CAPITAL, LLC, HANS MELGES, MANAGING MEMBER, OWNERS, AND IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236.34 OF WISCONSIN STATUTES, AND THE SUBDIVISION ORDINANCE FOR THE CITY OF LAKE GENEVA, I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING DESCRIBED LANDS AND THAT THIS MAP IS A TRUE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE MAP AND OF THE DIVISION THEREOF TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF: A PARCEL OF LAND LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 6, TOWN 1 NORTH, RANGE 18 EAST, CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 6 (T1N, R18E); THENCE S 87DEG 40MIN 04SEC W, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6, 2198.25 FEET; THENCE N 00DEG 00MIN E, 465.23 FEET TO THE POINT OF BEGINNING ON THE WESTERLY LINE OF STATE TRUNK HIGHWAY 120 AND THE NORTHERLY LINE OF CERTIFIED SURVEY MAP NO. 2435; THENCE ALONG SAID CSM 2435, N 39DEG 57MIN 04SEC W, 613.56 FEET; THENCE CONTINUE ALONG SAID CSM 2435, N 02DEG 38MIN 41SEC W, 366.19 FEET; THENCE CONTINUE ALONG SAID CSM 2435, N 87DEG 44MIN 13SEC E, 391.07 FEET TO THE WEST LINE OF SAID S.T.H. 120 ; THENCE ALONG SAID HIGHWAY, S 02DEG 50MIN 10SEC E, 233.70 FEET; THENCE CONTINUE ALONG SAID HIGHWAY, 618.34 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 9770.32 FEET AND A CHORD WHICH BEARS S 00DEG 47MIN 36SEC E, 618.24 FEET TO THE POINT OF BEGINNING. CONTAINING 239,215 SQUARE FEET OF LAND (5.49 ACRES) MORE OR LESS.

DATED: JUNE 26, 2014

REVISED 0919-2014

\_\_\_\_\_  
 PETER S. GORDON RLS 2101

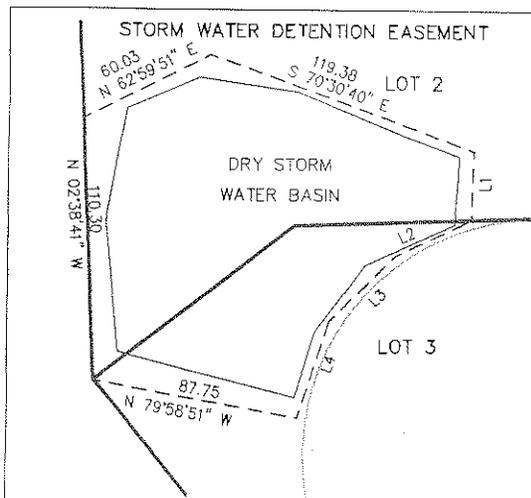
**CITY OF LAKE GENEVA APPROVAL**

RESOLVED THAT THIS CERTIFIED SURVEY MAP, WHICH IS LOCATED IN THE CITY OF LAKE GENEVA, IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
 CITY MAYOR

LINE	BEARING	DISTANCE
L1	S 01°29'50" W	29.06
L2	S 64°46'08" W	36.06
L3	S 45°16'18" W	38.83
L4	S 18°14'48" W	43.30

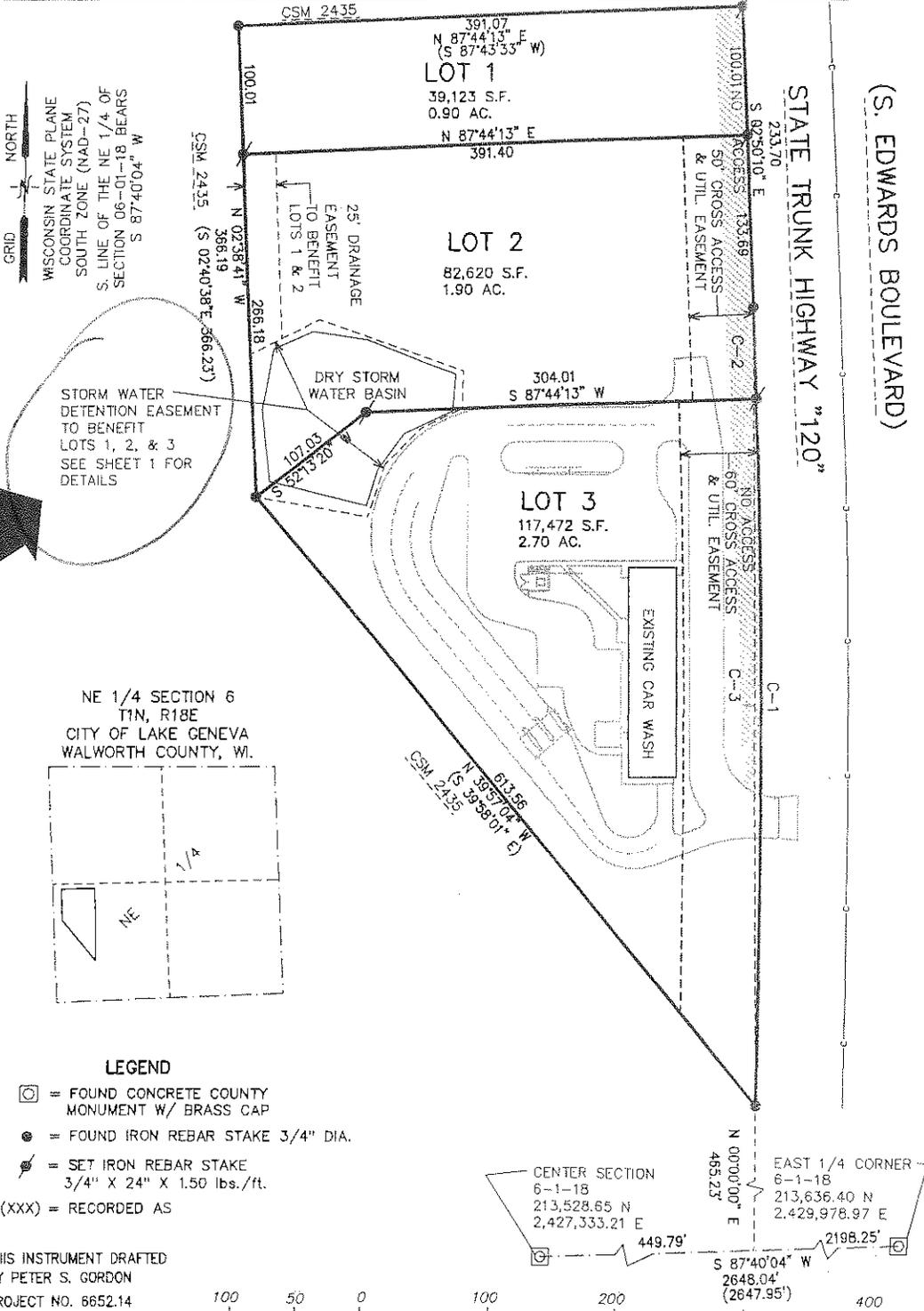
THIS INSTRUMENT DRAFTED  
 BY PETER S. GORDON  
 PROJECT NO. 6652.14  
 DATED: 05-21-2014  
 SHEET 1 OF 3 SHEETS



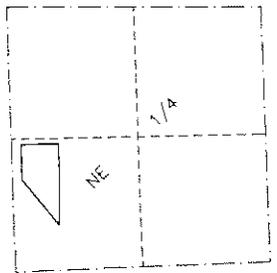
PART OF THE SW 1/4 OF THE NE 1/4  
SECTION 6, TOWN 1 NORTH, RANGE 18 EAST  
CITY OF LAKE GENEVA  
WALWORTH COUNTY, WISCONSIN

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	618.34	03°37'34"	9770.32	618.24	S 00°47'36" E	S 02°36'23" E	S 01°01'11" W
C2	70.31	00°24'44"	9770.32	70.31	S 02°24'01" E	S 02°36'23" E	S 02°11'39" E
C3	548.03	03°12'50"	9770.32	547.95	S 00°35'14" E	S 02°11'39" E	S 01°01'11" W



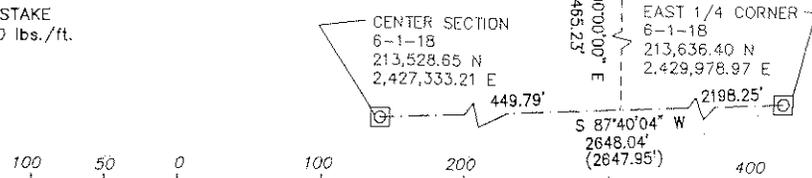
NE 1/4 SECTION 6  
T1N, R18E  
CITY OF LAKE GENEVA  
WALWORTH COUNTY, WI.



**LEGEND**

- ⊗ = FOUND CONCRETE COUNTY MONUMENT W/ BRASS CAP
- = FOUND IRON REBAR STAKE 3/4" DIA.
- ⚓ = SET IRON REBAR STAKE 3/4" X 24" X 1.50 lbs./ft.
- (XXX) = RECORDED AS

THIS INSTRUMENT DRAFTED  
BY PETER S. GORDON  
PROJECT NO. 6652.14  
DATED: 05-21-2014  
SHEET 2 OF 3 SHEETS



PART OF THE SW 1/4 OF THE NE 1/4  
SECTION 6, TOWN 1 NORTH, RANGE 18 EAST  
CITY OF LAKE GENEVA  
WALWORTH COUNTY, WISCONSIN

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

OWNERS CERTIFICATE

AS OWNER, I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED,  
DIVIDED, AND MAPPED AS REPRESENTED ON THIS MAP. I ALSO CERTIFY THAT THIS MAP IS REQUIRED BY  
S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION.  
CITY OF LAKE GENEVA

\_\_\_\_\_  
HANS MELGES MANAGING MEMBER  
LIQUID CAPITAL, LLC

STATE OF WISCONSIN)

COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, THE ABOVE NAMED, HANS  
MELGES, MANAGING MEMBER, FOR LIQUID CAPITAL, LLC, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE  
FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
MY COMMISSION EXPIRES

NOTARY PUBLIC \_\_\_\_\_, WISCONSIN

CONSENT OF CORPORATE MORTGAGEE

HARVARD BANK, A COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF  
ILLINOIS, MORTGAGEE OF THE ABOVE DESCRIBED LANDS, DOES HEREBY CONSENT TO SURVEYING, DIVIDING, AND  
MAPPING AS REPRESENTED ON THIS PLAT AND DO HEREBY CONSENT TO THE CERTIFICATE OF HANS MELGES,  
MANAGING MEMBER FOR LIQUID CAPITAL LLC, OWNERS.  
IN WITNESS WHEREOF, THE SAID HARVARD BANK HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_  
ITS OFFICER, AT \_\_\_\_\_ ILLINOIS AND ITS CORPORATE SEAL TO BE AFFIXED HERETO THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, THE ABOVE  
NAMED \_\_\_\_\_ OF HARVARD BANK, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING  
INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE  
DEED OF SAID CORPORATION BY ITS AUTHORITY.

\_\_\_\_\_  
MY COMMISSION EXPIRES

NOTARY PUBLIC, \_\_\_\_\_, ILLINOIS

THIS INSTRUMENT DRAFTED  
BY PETER S. GORDON  
PROJECT NO. 6652.14  
DATED: 05-21-2014  
SHEET 3 OF 3 SHEETS

**STAFF REPORT**  
To Lake Geneva Plan Commission

Meeting Date: November 17, 2014

**Agenda Item #6A**

Applicant:

BMHO

222 Center Street

Lake Geneva, WI 53147

Request:

Review of exterior colors in downtown design

Tax Key No. ZA276000002

Description:

The applicant proposes to install red awnings and paint the entrance doors and light shades red. The designs meet the new Downtown Design Standards for percentage of non-conforming colors on building appendages.

Staff Recommendation:

It is the staff's opinion that the proposed colors will no adverse effects on the downtown appearance and it is the staff's recommendation that the colors be approved. The overall design theme is very pleasing and is a vast improvement over the previous business.

**Agenda Item #6B**

Applicant:

Chris Cronin, JNB Signs for Starbucks

685 Main Street

Lake Geneva, WI 53147

Request:

Exterior sign change

Tax Key No. ZOP 00285

Description:

The applicant proposes to install a new sign to replace an existing one. The design meet not only the Downtown Design Overlay District requirements, but also comply with the Main Street requirements.

Staff Recommendation:

It is the staff's opinion that the proposed sign will no adverse effects on the downtown appearance and it is the staff's recommendation that the signs be approved with any Commission amendments.

*Staff may provide additional comment on the above items and will comment on remaining agenda items at the meeting.*

\_\_\_\_\_  
Zoning Administrator

APPLICATION FOR CONDITIONAL USE

City of Lake Geneva

SITE ADDRESS/PARCEL NO. AND FULL LEGAL DESCRIPTION REQUIRED (ATTACH SEPARATE SHEET IF NECESSARY):

222 Center Street # 2A 2760 00002

NAME AND ADDRESS OF CURRENT OWNER:

BMHO Properties, LLC, 230 Center Street,  
Lake Geneva, WI 53147

TELEPHONE NUMBER OF CURRENT OWNER:

NAME AND ADDRESS OF APPLICANT:

BMHO - Same as Above

TELEPHONE NUMBER OF APPLICANT:

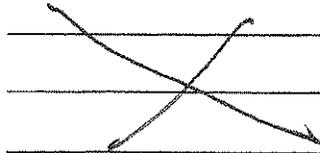
PROPOSED CONDITIONAL USE:

Downtown Design Approval for Door, Light shade,  
and Awning Color Change.

ZONING DISTRICT IN WHICH LAND IS LOCATED:

(CB) Central Business

NAMES AND ADDRESSES OF ARCHITECT, PROFESSIONAL ENGINEER AND CONTRACTOR OF PROJECT:



SHORT STATEMENT DESCRIBING ACTIVITIES TO BE CARRIED ON AT SITE:

Furniture and Home Decor Store

CONDITIONAL USE FEE PAYABLE UPON FILING APPLICATION: ~~\$400.00~~ [\$400 FOR APPLICATIONS UNDER SEC. 98-407(9)]

11-6-14

DATE



SIGNATURE OF APPLICANT



**APPLICATION FOR CONDITIONAL USE**

*City of Lake Geneva*

SITE ADDRESS/PARCEL NO. AND FULL LEGAL DESCRIPTION REQUIRED (ATTACH SEPARATE SHEET IF NECESSARY):

685 MAIN ST.

LAKE GENEVA, WI 53147

NAME AND ADDRESS OF CURRENT OWNER:

GENEVA CENTER LLC c/o ERICKSON & ASSOCIATES

2554 CHARLES ST., ROCKFORD, IL 61108

TELEPHONE NUMBER OF CURRENT OWNER:

815-398-1900 NOLAN ROGERS

NAME AND ADDRESS OF APPLICANT:

JNB SIGNS, INC.

1221 VENTURE DR., JANESVILLE, WI 53546

TELEPHONE NUMBER OF APPLICANT:

608-754-6338

PROPOSED CONDITIONAL USE:

N/A

ZONING DISTRICT IN WHICH LAND IS LOCATED:

NAMES AND ADDRESSES OF ARCHITECT, PROFESSIONAL ENGINEER AND CONTRACTOR OF PROJECT:

N/A

SHORT STATEMENT DESCRIBING ACTIVITIES TO BE CARRIED ON AT SITE:

Change out of existing wall sign on front elevation  
(new updated graphics)

CONDITIONAL USE FEE PAYABLE UPON FILING APPLICATION: \$400.00 [\$100 FOR APPLICATIONS UNDER SEC. 98-407(3)]

11/06/2014

DATE



SIGNATURE OF APPLICANT

AGREEMENT FOR SERVICES

REIMBURSABLE BY THE PETITIONER / APPLICANT. The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission and/or Common Council. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal including any finance charges that may accrue. The City may apply the charges for these services to the Petitioner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner and which are not paid, may be assigned by the City as a special assessment to the subject property. Petitioner hereby expressly waives any notice and hearing requirements provided in Wis. Stats. § 66.0701 or any additions or amendments to this section. Petitioner further authorizes the City Treasurer or City Clerk to levy and collect review fees and additional fees upon the affidavit of the City Administrator or the Zoning Administrator stating that such fees are reasonable and that payment is overdue. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the development application:

JNB SIBNS, INC \_\_\_\_\_, as applicant/petitioner for:

Name: STARBUCKS \_\_\_\_\_

Address: 685 MAIN STREET \_\_\_\_\_

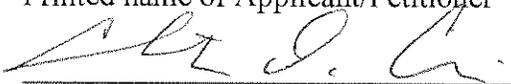
LAKE GENEVA, WI 53147 \_\_\_\_\_

Phone: 262-348-0491 \_\_\_\_\_

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g., filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Lake Geneva, in the judgment of its staff, to obtain additional professional service(s), (e.g., engineering, surveying, planning, legal) than would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 6<sup>th</sup> day of NOVEMBER, 2014, 2008.

Christopher D. Cronin  
Printed name of Applicant/Petitioner

  
Signature of Applicant/Petitioner

STARBUCKS #2338  
685 Main Street  
Lake Geneva, WI 53147  
QID# 14-25772



**HILTONDISPLAYS**

125 HILLSIDE DRIVE • GREENVILLE SC 29607  
P 800 353 9132 • F 864 242 2204  
[www.hiltondisplays.com](http://www.hiltondisplays.com)

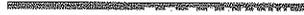
**S/F SAND-BLASTED WOOD HANGING SIGN**

Qty. 1

60" DIA.



1 1/2"

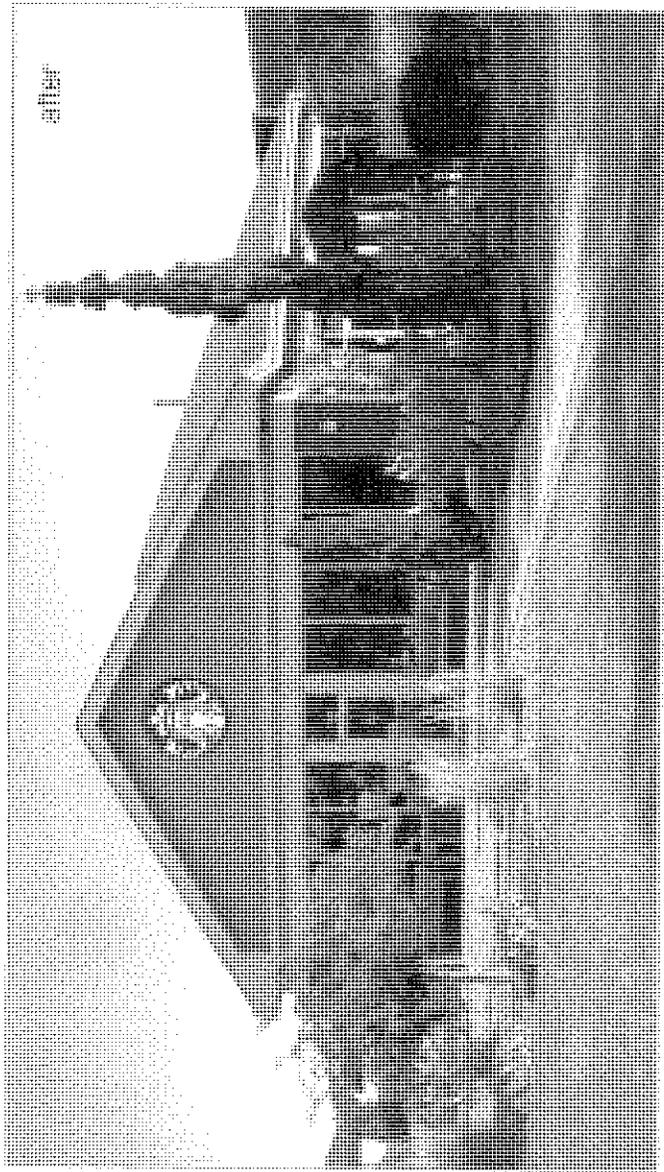
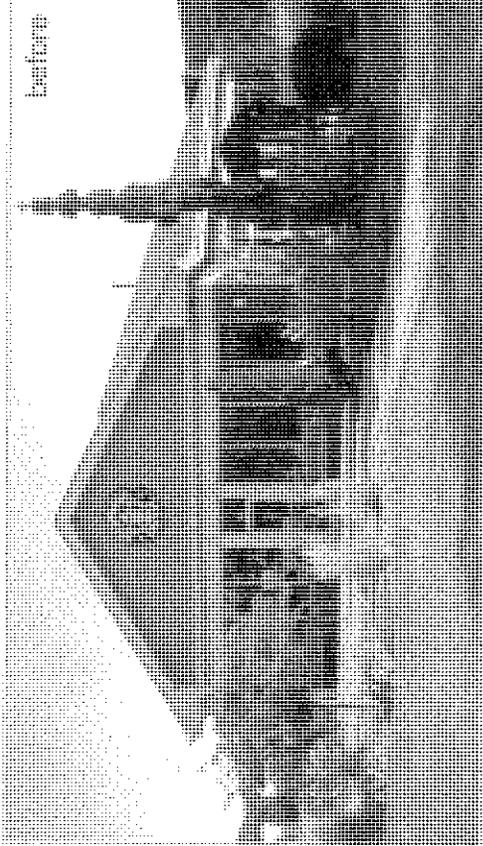


Front View

Scale: 1/2" = 1' (11x 17 Paper)

**SPECIFICATIONS:**

- Ⓐ Sign to be sand-blasted wood painted  
-PMS 3425 C Green  
-White
- Ⓑ Mounted with wood screws.



**HILTONDISPLAYS**  
175 N. WISCONSIN STREET, SUITE 100  
P.O. BOX 1319132, LAKE GENEVA, WI 53147  
www.hiltondisplays.com

**CID 14-25772**

**JOB NAME**

Starbucks

**LOCATION**

685 Main Street  
Lake Geneva, WI 53147

**CUSTOMER CONTACT**

**SALESMAN / PM**

Maddie Oxendine

**DESIGNER**

Alex Davis

**DWG. DATE**

10-20-14

**REV. DATE / REVISION**

10-23-14 chg. to ML With Sign

**SCALE**

As Noted

**FILE**

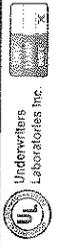
2014 Starbucks/  
Lake Geneva WI/14-25772/  
SB Lake Geneva WI.cdr

**DESIGN SPECIFICATIONS ACCEPTED BY**

ST CLIENT

AUSM UNIFIED

ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF HILTONDISPLAYS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HILTONDISPLAYS.



# Lake Geneva

## SECTION 98-707 EXTERIOR LIGHTING STANDARDS

- (1) Purpose: The purpose of this Section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity of a light source in order to promote traffic safety and prevent the creation of nuisances. A further purpose of this Section is to regulate outdoor night lighting fixtures to preserve and enhance the area's dark sky while promoting safety, conserving energy, and preserving the environment for astronomy.
- (2) Applicability: The requirements of this Section apply to all private exterior lighting within the jurisdiction of this Chapter, except for lighting within public rights of way and/or lighting located on public property. For the purpose of this Section, "Exterior lighting" means an outdoor artificial illuminating device, whether permanent or portable used for illumination or advertisement, including general lighting fixtures, searchlights, spotlights and floodlights, whether for architectural lighting, parking lot lighting, landscape lighting, signage or other purposes. "Shielded" means a fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected at least fifteen degrees below a horizontal plane running through the lowest point on the fixture where light is emitted.
- (3) Depiction on Required Site Plan: Any and all exterior lighting shall be depicted as to its location, orientation and configuration on the site plan required for the development of the subject property. (Refer to Section 98-908).
- (4) Requirements:
  - (a) Orientation of Fixture: all exterior lighting shall be shielded, except for UL-rated fixtures of 1,600 lumens or less. In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a transparent shield) is visible from a property located within a residential zoning district, except where a clear glass, decorative/ornamental fixture is used with a UL-rated fixture of 1,600 lumens or less. The use of shielded luminaries and careful fixture placement is required so as to facilitate compliance with this requirement. All floodlighting and spotlighting fixtures shall be shielded.
    - (i) Exceptions are as follows:
      - (1) Landscape Lighting: Unshielded landscape lighting is permitted and is not required to be angled downward, provided that the lighting element or transparent shield is not visible from adjoining properties and that each UL-rated fixture has a light output of 1,600 lumens or less.
      - (2) Driveway/Walkway, Identity Sign or Decorative Lighting: Unshielded lighting at entryways, including driveways and walkways and lighting for property identity signs, gates, fences, and post top entrances is permitted, and the fixture is not required to be angled downward, provided that each UL-rated fixture has a light output of 1,600 lumens or less.
      - (3) Architectural Lighting: All architectural lighting shall use UL-rated fixtures of 1,600 lumens or less. All exterior lighting during such period shall have a minimum of 90 percent of their light fall onto the illuminated structure, rather than into sky or space beyond the structure. Under no circumstances shall the illumination of architecture be permitted between 11 P.M. and 7 A.M.
    - (b) Intensity of Illumination and Filtering: In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 footcandles above ambient lighting conditions on a cloudless night. In addition to this requirement, all exterior lighting fixtures

shall not exceed the illumination levels recommended by the Illuminating Engineering Society of America (IES) as given in Appendix A. All metal halide fixtures shall be filtered by a smoke, tinted, or frosted glass or acrylic enclosure. Quartz glass shall not be considered as meeting this requirement.

- (c) Maximum Light Output: For all residential uses, the maximum light output of all nonexempt exterior lighting shall not exceed a total on any given property under single ownership equal to 10,000 lumens multiplied by the total number of acres of such property. For all nonresidential uses, the maximum light output of all nonexempt exterior lighting shall not exceed a total on any given property under single ownership equal to 50,000 lumens multiplied by the total number of acres of such property. Lighting beneath a gas station canopy shall be exempted from this total; however, such lighting may not exceed a maximum light output of 25 footcandles.
- (d) Maximum Height: The maximum fixture mounting height shall be as follows:
  - (i) CR-5ac, ER-1, SR-3, SR-4, and TR-6 districts: 8 feet
  - (ii) MR-8, NB, and NO districts: 12 feet
  - (iii) PI, GI, and HI districts: 30 feet
  - (iv) All other districts: 20 feet
  - (v) For sports lighting, see Section 98-707(7).
- (e) Location: Light fixtures shall not be located within required bufferyards.
- (f) Minimum Lighting Standards: All areas designated on required site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity as recommended in the Lighting Tables of Appendix A.
- (g) Lamp Types: In an effort to foster sustainability, the City requires energy-efficient exterior light sources. High-pressure sodium, fluorescent, low-pressure sodium lamps, light emitting diodes (LED), or metal halide shall be used for all light fixtures UL-rated to be lamped greater than 1,800 lumens. All light bulbs and fixtures not in compliance with this regulation may continue to be used, but replacement light bulbs and fixtures must conform to the requirements of this Section.
- (h) Nonconforming Lighting: All lighting fixtures existing prior to the effective date of this Chapter shall be considered as legal conforming structures, (see Section 98-207). However, such nonconforming fixtures are encouraged to be extinguished by 11 P.M. All replacement fixtures shall fully comply with the requirements of this Section.
- (i) Special Events Lighting: Any temporary use using exterior lighting which is not in complete compliance with the requirements of this Section shall secure a temporary use permit. Refer to Section 98-906.
- (j) Hours of Operation:
  - (i) Display Lot Lighting: Display lot lighting shall be extinguished within 30 minutes after closing of the business. Under no circumstances shall the illumination of display lots be permitted between 11 P.M. and 7 A.M. All exterior lighting during such period shall be at LOW levels for security purposes only.
  - (ii) Lighting of Commercial and Industrial Uses: Lighting shall be extinguished within 30 minutes after closing of the business, except in the case of a special event in which a temporary use

permit has been granted under Section 98-906. The Zoning Administrator may permit security lighting or lighting for after-hours and maintenance employees, provided such lighting is on separate circuits, and provided that the areas to remain lighted are located or screened in such a way to reduce impact substantially from the normal lighting.

(iii) Landscape Lighting: Landscape lighting shall not be operated between the hours of 11 P.M. to dawn, except solar-powered landscape lighting lacking an on/off switch may be operated between the hours of 11 P.M. to dawn, provided that such lighting does not exceed 0.1 footcandle of illumination, subject to Subsections 4(a)(i)(1) and (4)(c) of this Section.

(5) Exempt Lighting: The following are exempt from the provisions of this section:

- (a) Security lighting.
- (b) Doorway lighting within residential zoning districts.
- (c) All temporary emergency lighting necessary to ensure public safety as determined by the City of Lake Geneva Police Department, Fire Department, or other emergency service providers.
- (d) Lighting used in the undertaking of municipal road construction, emergency repair or maintenance of utility lines, sewer, water mains or similar public infrastructure.
- (e) Holiday lighting between October 20 and January 31 of the following year.
- (f) Upward lighting of flags in the form of a single, ground mounted, narrow cone spotlight located at the base of the flagpole which confines the illumination to the flag itself.
- (g) Underwater lighting used for swimming pools, provided such lighting meets all relevant electrical codes.
- (h) Temporary lighting reviewed and approved in connection with a permit issued by the City provided that the lighting is extinguished and removed according to the permit.
- (i) Lighting for radio, communication and navigation towers, provided that the owner or occupant demonstrates to the satisfaction of the City that Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this Section, and that the provisions of this Section are otherwise met to the fullest extent possible. Lighting for any wireless communications facility shall not be permitted unless required by the FAA; in which case, required lighting shall be of the lowest allowed intensity that meets FAA requirements.
- (j) Lighting for outdoor activities, including: pool areas, tennis courts, paddle courts, hockey and/or skating rinks, horse arenas; provided such lighting shall be extinguished by 11 P.M.
- (k) Lighting that is used for a specified period of time which is necessary for a specific task or purpose while said task or purpose is actively being performed.

(6) Prohibited Lighting: The following lighting shall not be permitted within the City:

- (a) Mobile or ground mounted searchlights, except those used for governmental or emergency purposes.
- (b) Strobe lights and laser lights, including laser light shows and aerial laser lights.
- (c) Rope lighting, except by conditional use permit.
- (d) Neon lights.

- (e) Flashing, blinking, flickering, scrolling, rotating, pulsating, tracing lights or revolving lighting, unless temporarily triggered by a security system and extinguished within 30 minutes after the time of security response. Refer to Section 98-804(1)(c).
  - (f) Lighting which is used to outline a building, structure, or window, including but not limited to rope, neon, and fluorescent tube lighting.
  - (g) Any light fixture that may be construed as or confused with a traffic signal, traffic control device or maritime navigational markers.
  - (h) Lighting that is determined by the City of Lake Geneva Police Department to contribute to a condition of disabling or distracting glare into a public roadway.
  - (i) Lighting used to illuminate property other than that on which the fixture is located and which constitutes light trespass.
  - (j) Mercury vapor exterior lighting fixtures installed after August 14, 2000.
- (7) Sports Lighting: "Sports lighting" refers to light fixtures used to illuminate courts, arenas, riding arenas, fields, tracks and other recreational areas generally utilizing high light output fixtures, higher light levels and are mounted on higher than average freestanding poles. For sports lighting the following shall apply:
- (a) Light fixtures shall be shielded as designed and installed.
  - (b) Light levels shall not exceed the appropriate Illuminating Engineering Society of America (IES) recommended level of spectator/play for the activity.
  - (c) Sports lighting shall be set to automatically shut off when there is no scheduled play and shall be extinguished no later than 11 P.M. Lower light levels for off the field lighting may be provided for an additional 30 minutes for safe egress.
  - (d) The mounting height for sports lighting shall be no greater than one-fourth the distance to the nearest property line from where the sports lighting is located.
  - (e) Sports lighting trespass shall not exceed 0.5 footcandle of illumination at any point on the property line.
  - (f) Designs for all sports lighting shall be submitted to the City prior to installation to assure that the requirements of this Section are satisfied.

# Lake Geneva

## SECTION 98-707 EXTERIOR LIGHTING STANDARDS

- (1) Purpose: The purpose of this Section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity of a light source in order to promote traffic safety and prevent the creation of nuisances. A further purpose of this Section is to regulate outdoor night lighting fixtures to preserve and enhance the area's dark sky while promoting safety, conserving energy, and preserving the environment for astronomy.
- (2) Applicability: The requirements of this Section apply to all private exterior lighting within the jurisdiction of this Chapter, except for lighting within public rights of way and/or lighting located on public property. For the purpose of this Section, "Exterior lighting" means an outdoor artificial illuminating device, whether permanent or portable used for illumination or advertisement, including general lighting fixtures, searchlights, spotlights and floodlights, whether for architectural lighting, parking lot lighting, landscape lighting, signage or other purposes. "Shielded" means a fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected at least fifteen degrees below a horizontal plane running through the lowest point on the fixture where light is emitted.
- (3) Depiction on Required Site Plan: Any and all exterior lighting shall be depicted as to its location, orientation and configuration on the site plan required for the development of the subject property. (Refer to Section 98-908).
- (4) Requirements:
  - (a) Orientation of Fixture: all exterior lighting shall be shielded, except for ~~incandescent fixtures of 150 watts~~ UL-rated fixtures of 1,600 lumens or less, and other lighting types of 70 watts or less. In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a transparent shield) is visible from a property located within a residential zoning district, except where a clear glass, decorative/ornamental fixture is used with ~~incandescent lighting source~~ a UL-rated fixture of 1,600 lumens or less. The use of shielded luminaries and careful fixture placement is required so as to facilitate compliance with this requirement. All floodlighting and spotlighting fixtures shall be shielded.
    - (i) Exceptions are as follows:
      - (1) Landscape Lighting: Unshielded landscape lighting is permitted and is not required to be angled downward, provided that the lighting element or transparent shield is not visible from adjoining properties and that each UL-rated fixture has a light output of 1,600 lumens or less.
      - (2) Driveway/Walkway, Identity Sign or Decorative Lighting: Unshielded lighting at entryways, including driveways and walkways and lighting for property identity signs, gates, fences, and post top entrances is permitted, and the fixture is not required to be angled downward, provided that each UL-rated fixture has a light output of 1,600 lumens or less.
      - (3) Architectural Lighting: All architectural lighting shall use UL-rated fixtures of 1,600 lumens or less. All exterior lighting during such period shall have a minimum of 90 percent of their light fall onto the illuminated structure, rather than into sky or space beyond the structure. Under no circumstances shall the illumination of architecture be permitted between 11 P.M. and 7 A.M.
  - (b) Intensity of Illumination and Filtering: In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 footcandles above ambient

lighting conditions on a cloudless night. In addition to this requirement, all exterior lighting fixtures shall not exceed the illumination levels recommended by the Illuminating Engineering Society of America (IES) as given in Appendix A. All metal halide fixtures shall be filtered by a smoke, tinted, or frosted glass or acrylic enclosure. Quartz glass shall not be considered as meeting this requirement.

- (c) Maximum Light Output: For all residential uses, the maximum light output of all nonexempt exterior lighting shall not exceed a total on any given property under single ownership equal to 10,000 lumens multiplied by the total number of acres of such property. For all nonresidential uses, the maximum light output of all nonexempt exterior lighting shall not exceed a total on any given property under single ownership equal to 50,000 lumens multiplied by the total number of acres of such property. Lighting beneath a gas station canopy shall be exempted from this total; however, such lighting may not exceed a maximum light output of 25 footcandles.
- (d) Maximum Height: The maximum fixture mounting height shall be as follows:
  - (i) CR-5ac, ER-1, SR-3, SR-4, and TR-6 districts: 8 feet
  - (ii) MR-8, NB, and NO districts: 12 feet
  - (iii) PI, GI, and HI districts: 30 feet
  - (iv) All other districts: 20 feet
  - (v) For sports lighting, see Section 98-707(7).
- (e) Location: Light fixtures shall not be located within required bufferyards.
- ~~d) Flashing, Flickering and Other Distracting Lighting: Flashing, flickering and/or other lighting which may distract motorists are prohibited. (Refer to Section 98-804(1)(c). (Relocated)~~
- (f) Minimum Lighting Standards: All areas designated on required site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity as recommended in the Lighting Tables of Appendix A.
- (g) Lamp Types: In an effort to foster sustainability, the City requires energy-efficient exterior light sources. High-pressure sodium, fluorescent, low-pressure sodium lamps, light emitting diodes (LED), or metal halide shall be used for all light fixtures UL-rated to be lamped greater than 1,800 lumens. All light bulbs and fixtures not in compliance with this regulation may continue to be used, but replacement light bulbs and fixtures must conform to the requirements of this Section.
- (h) Nonconforming Lighting: All lighting fixtures existing prior to the effective date of this Chapter shall be considered as legal conforming structures, (see Section 98-207). However, such nonconforming fixtures are encouraged to be extinguished by 11 P.M. All replacement fixtures shall fully comply with the requirements of this Section.
- (i) Special Events Lighting: Any temporary use using exterior lighting which is not in complete compliance with the requirements of this Section shall secure a temporary use permit. Refer to Section 98-906.
- (j) Hours of Operation:
  - (i) Display Lot Lighting: Display lot lighting shall be extinguished within 30 minutes after closing of the business. Under no circumstances shall the illumination of display lots be permitted

between 11 P.M. and 7 A.M. All exterior lighting during such period shall be at LOW levels for security purposes only.

(ii) Lighting of Commercial and Industrial Uses: Lighting shall be extinguished within 30 minutes after closing of the business, except in the case of a special event in which a temporary use permit has been granted under Section 98-906. The Zoning Administrator may permit security lighting or lighting for after-hours and maintenance employees, provided such lighting is on separate circuits, and provided that the areas to remain lighted are located or screened in such a way to reduce impact substantially from the normal lighting.

(iii) Landscape Lighting: Landscape lighting shall not be operated between the hours of 11 P.M. to dawn, except solar-powered landscape lighting lacking an on/off switch may be operated between the hours of 11 P.M. to dawn, provided that such lighting does not exceed 0.1 footcandle of illumination, subject to Subsections 4(a)(1) and (4)(c) of this Section.

~~(k) Architectural Lighting: All architectural lighting shall be of 150 watts or less in incandescent, and shall be of 70 watts or less for other lighting types. All exterior lighting during such period shall have a minimum of 90 percent of their light fall onto the illuminated structure, rather than into sky or space beyond the structure. Under no circumstances shall the illumination of architecture be permitted between 11 P.M. and 7 A.M. (Relocated)~~

(5) Exempt Lighting: The following are exempt from the provisions of this section:

- (a) Security lighting.
- (b) Doorway lighting within residential zoning districts.
- (c) All temporary emergency lighting necessary to ensure public safety as determined by the City of Lake Geneva Police Department, Fire Department, or other emergency service providers.
- (d) Lighting used in the undertaking of municipal road construction, emergency repair or maintenance of utility lines, sewer, water mains or similar public infrastructure.
- (e) Holiday lighting between October 20 and January 31 of the following year.
- (f) Upward lighting of flags in the form of a single, ground mounted, narrow cone spotlight located at the base of the flagpole which confines the illumination to the flag itself.
- (g) Underwater lighting used for swimming pools, provided such lighting meets all relevant electrical codes.
- (h) Temporary lighting reviewed and approved in connection with a permit issued by the City provided that the lighting is extinguished and removed according to the permit.
- (i) Lighting for radio, communication and navigation towers, provided that the owner or occupant demonstrates to the satisfaction of the City that Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this Section, and that the provisions of this Section are otherwise met to the fullest extent possible. Lighting for any wireless communications facility shall not be permitted unless required by the FAA; in which case, required lighting shall be of the lowest allowed intensity that meets FAA requirements.
- (j) Lighting for outdoor activities, including: pool areas, tennis courts, paddle courts, hockey and/or skating rinks, horse arenas; provided such lighting shall be extinguished by 11 P.M.
- (k) Lighting that is used for a specified period of time which is necessary for a specific task or purpose while said task or purpose is actively being performed.

- (6) Prohibited Lighting: The following lighting shall not be permitted within the City:
- (a) Mobile or ground mounted searchlights, except those used for governmental or emergency purposes.
  - (b) Strobe lights and laser lights, including laser light shows and aerial laser lights.
  - (c) Rope lighting, except by conditional use permit.
  - (d) Neon lights.
  - (e) Flashing, blinking, flickering, scrolling, rotating, pulsating, tracing lights or revolving lighting, unless temporarily triggered by a security system and extinguished within 30 minutes after the time of security response. Refer to Section 98-804(1)(c).
  - (f) Lighting which is used to outline a building, structure, or window, including but not limited to rope, neon, and fluorescent tube lighting.
  - (g) Any light fixture that may be construed as or confused with a traffic signal, traffic control device or maritime navigational markers.
  - (h) Lighting that is determined by the City of Lake Geneva Police Department to contribute to a condition of disabling or distracting glare into a public roadway.
  - (i) Lighting used to illuminate property other than that on which the fixture is located and which constitutes light trespass.
  - (j) Mercury vapor exterior lighting fixtures installed after August 14, 2000.
- (7) Sports Lighting: "Sports lighting" refers to light fixtures used to illuminate courts, arenas, riding arenas, fields, tracks and other recreational areas generally utilizing high light output fixtures, higher light levels and are mounted on higher than average freestanding poles. For sports lighting the following shall apply:
- (a) Light fixtures shall be shielded as designed and installed.
  - (b) Light levels shall not exceed the appropriate Illuminating Engineering Society of America (IES) recommended level of spectator/play for the activity.
  - (c) Sports lighting shall be set to automatically shut off when there is no scheduled play and shall be extinguished no later than 11 P.M. Lower light levels for off the field lighting may be provided for an additional 30 minutes for safe egress.
  - (d) The mounting height for sports lighting shall be no greater than one-fourth the distance to the nearest property line from where the sports lighting is located.
  - (e) Sports lighting trespass shall not exceed 0.5 footcandle of illumination at any point on the property line.
  - (f) Designs for all sports lighting shall be submitted to the City prior to installation to assure that the requirements of this Section are satisfied.
- ~~(8) Use of Mercury Vapor Fixtures: No new mercury vapor exterior lighting fixtures shall be installed following the effective date of this Ordinance amendment.~~