



## Site Plan Review Memorandum

To: Union Operating Company, LLC  
From: Renee Hanlon, AICP, Zoning Enforcement Officer  
Date: June 28, 2024  
RE: Conditional Use Permit Renewal 2024-036

The Planning Division has considered the following documents in developing this analysis of your zoning application:

1. Application for Conditional Use Permit
2. Plat of Survey drawn by Vanderstappen Land Surveying dated 01.25.24

Staff has the following comments:

1. Section 16.56. EE of the McHenry County Unified Development Ordinance (UDO) requires the following. Yellow highlighted items are of concern and discussed after the list.
  - a. No off-premises commercial advertising sign may be located within one hundred (100) feet of any residential zoning district or residential structure located in an agricultural zoning district. When an off-premises commercial advertising sign one hundred and fifty (150) square feet or larger in size is located within five hundred (500) feet of a residential zoning district, or within five hundred (500) feet of a residential structure within an agricultural zoning district, a conditional use permit is required.
  - b. Each off-premises commercial advertising sign must be located at least three hundred (300) feet from another off-premises advertising sign. Aerial photograph shows two (2) existing signs on the property. Is this a replacement of one (1) of those existing signs? Please revise plan and application to make clear the final condition proposed (i.e. two signs with the distance between specified)
  - c. Off-premises commercial advertising signs must be located at least five (5) feet from any side lot line and ten (10) feet from a street lot line.
  - d. Off-premises commercial advertising signs are limited to a maximum height of thirty-five (35) feet, as measured from the grade of the roadway. Drawing on Page S1 of the additional information packet depicts a total height of forty-two (42) feet. Please revise application to include variation request and complete variation standards questionnaire.
  - e. Off-premises commercial advertising signs are limited to a maximum sign area of two hundred sixty (260) square feet unless the sign is oriented to an Interstate Highway with a posted speed limit in excess of fifty-five (55) miles per hour, in which case the maximum sign area is four hundred (400) square feet. Application indicates a 288 square foot sign face which will require variation along with the conditional use permit. Please revise application to include variation request and complete variation standards questionnaire.
  - f. Off-premises commercial advertising signs are limited to two (2) sides placed either back-to-back or in a V-type configuration, provided that the angle between V-type mounted sign faces does not exceed forty-five (45) degrees. If the angle between two (2) sign faces is greater than forty-five (45) degrees, the sign area is computed as the sum of the areas of the two (2) faces (see Figure 16.72-3).

- g. Off-premises commercial advertising signs shall be maintained in sound structural condition and shall comply with all building and electrical codes.
- h. Off-premises commercial advertising signs shall not create obstacles or traffic hazards by distracting or confusing motorists, impairing motorists' ability to see pedestrians, read other traffic signs, or see other vehicles.
- i. A conditional use permit is required for all digital off-premises commercial advertising signs. In addition, digital off-premises commercial advertising signs must meet the following standards:
  - i. Each message or image displayed on a digital off-premises commercial advertising signs must be static or depicted for a minimum of ten (10) seconds. Animation, streaming video, and images that move or give the appearance of movement are prohibited.
  - ii. A digital off-premises commercial advertising sign must not exceed a maximum illumination of three-tenths (0.3) footcandles above the ambient light level when measured from a distance equal to the square root of the square footage of the sign multiplied by one hundred. (measurement distance =  $(\text{sign area}) \times 100$ ) All digital off-premises commercial advertising signs must have ambient light monitors installed, which automatically adjust the brightness level based on ambient light conditions.
  - iii. In response to complaints, the Zoning Enforcement Officer may require that the owner of a digital off-premises commercial advertising sign submit a certification demonstrating that the sign complies with the maximum illumination standards.
  - iv. All digital off-premises commercial advertising sign must be programmed to automatically revert to a full black screen in the event of a malfunction.
- j. Conversion of an existing non-digital off-premises commercial advertising sign to a digital off-premises commercial advertising sign is subject to the following:
  - i. A conforming off-premises commercial advertising sign may be converted to a digital sign with approval of a conditional use permit.
  - ii. A nonconforming off-premises commercial advertising sign within a district that permits such signs may be converted to a digital off-premises commercial advertising sign if the nonconformity is remedied (i.e., the sign is brought into compliance) and a conditional use permit is approved.
  - iii. A nonconforming off-premises commercial advertising sign within a district that does not permit such signs may not be converted to a digital off-premises commercial advertising sign.
  - iv. The owner of a digital off-premises commercial advertising sign shall provide the County with space for public service announcements including Amber Alerts, weather related evacuations, or other emergency situations.
- k. An off-premises commercial advertising sign may be utilized to display a noncommercial message under the same standards as the display of a commercial message, unless otherwise allowed or restricted by State laws including, but not limited to, the Illinois Election Code and/or 10 ILCS 5/1-1 et seq. as enforced by State Board of Elections or other appropriate officials.