

ORDINANCE 2022-35

**AN ORDINANCE AMENDING THE SIGN REGULATIONS CHAPTER
OF THE WEST DUNDEE MUNICIPAL CODE**

(Electronic Signs)

WHEREAS, the Village of West Dundee, Kane County, Illinois, (the "Village") is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois and as such has the power to and authority to perform any function pertaining to its government affairs; and,

WHEREAS, the Village has discussed permitting monument signs which incorporate an electronic sign panel for 50% of the total sign copy area; and,

WHEREAS, an amendment to the applicable sections of Title 9, Chapter 4 of the Municipal Code regarding electronic sign displays for the Spring Hill Mall and Mall Surrounding Area, is necessary to facilitate the use of a monument sign with an electronic sign panel; and,

WHEREAS, the President and Board of Trustees (the "Corporate Authorities") have carefully considered the information presented and have determined that the proposed amendment will respond to the changing needs of businesses, will reflect the evolution of signage and electronic displays, will enhance the Spring Hill Mall Area commercial corridor, and will improve administrative and enforcement procedures for the betterment of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

SECTION 1: That the subparagraph "Electronic Changeable Copy Signs" including its subparagraphs A, B and C, of Section 9-4-7, Signs Requiring a Permit, of the West Dundee Municipal Code, be and is hereby deleted and replaced with the text attached hereto as Exhibit A.

SECTION 2: That Table 9-4-8C, Signs for Spring Hill Mall and Mall Surrounding Area - Permit Required, of the West Dundee Municipal Code be and is hereby deleted and replaced with the text attached hereto as Exhibit B.

SECTION 3: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

SECTION 4: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

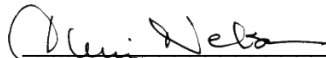
PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 7th day of November, 2022.

AYES: Trustees Price, Haley, Alopogianis, Anderley and Wilbrandt
NAYS: None
ABSENT: Trustee Yuscka

ATTEST:



Mary Jo Pape
Village Clerk



Christopher Nelson
Village President

Passed: November 7th,2022
Approved: November 7th, 2022
Published:

Prepared by:
Village of West Dundee
Economic Development Department
100 Carrington Drive
West Dundee, IL 60118

EXHIBIT A

9-4-7: SIGNS REQUIRING SIGN PERMIT:

Electronic Changeable Copy Signs: Appearance Review Commission approval required for new signs including electronic sign panels and for retrofitting existing signs with electronic sign panels. Electronic changeable copy signs are also subject to the following regulations:

A. Route 31 Business Corridor:

1. Permitted locations:
 - a. Electronic signs are permitted for properties with underlying business zoning or with a business component within a Special Development District.
 - b. Electronic signs are permitted for large-scale, multi-family residential rental developments along or connected to Route 31.
 - (1) The development shall contain at least twenty (20) acres.
 - (2) The sign shall be physically set back at least three-hundred feet (300') from Route 31.
 - c. Only one electronic sign is permitted per zoning lot.
 - d. Changeable copy, electronic signs are allowable for fuel station price signs at service stations in all areas of the community except for the historic area. Such signs are subject to the display regulations below but the fuel price must be a nonmoving display at all times.
 - e. Changeable copy electronic signs are permitted in certain areas according to the size of the site measured by linear footage as follows:
 - (1) For single buildings, shopping centers or planned developments with linear frontage of less than three hundred feet (300') on a single roadway:
 - (A) Maximum sign copy area is fifty (50) square feet.
 - (B) An electronic sign may not exceed thirty-five percent (35%) of the maximum sign copy area.
 - (2) For single buildings, shopping centers or planned developments with linear frontage of three hundred and one feet (301') or greater on a single roadway:
 - (A) Maximum sign copy area is one-hundred (100) square feet.
 - (B) An electronic sign may not exceed twenty-five (25%) of the maximum sign copy area.
2. Base:
 - a. Electronic signs may only be incorporated into monument or ground signs with solid masonry bases.
 - b. Unfinished concrete masonry units (CMU) or unfinished poured concrete are not permissible masonry base materials.
 - c. Minimum base height shall be twenty-four inches (24").
 - d. The electronic sign panel must be placed at the bottom of the overall sign panel immediately above the masonry base.
 - (1) Masonry base shall extend the full width of the sign panel.
3. Display area:
 - a. Electronic copy may not contain any symbols, icons, characters, ideograms, or product representations.
 - b. Electronic copy shall be restricted to a maximum of two (2) colors displaying dark background and light or contrasting text.
 - c. Electronic copy may not flash, blink, fade, scroll or roll or have any type of continuous movement.

- d. Copy must be of a nonmoving persistent nature with a single message displayed for at least ten (10) seconds for commercial properties and at least one (1) minute for large-scale, multi-family residential rental developments.
 4. Minimum Design Standards:
 - a. Higher resolution display panels are encouraged. An electronic sign panel shall not have more than twelve millimeters (12 mm) pixel pitch spacing (high resolution).
 - b. The unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at ~~the~~ all times of day. Such programming and mechanical equipment shall be set so that the unit, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.
 - c. All electronic signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
 5. Ancillary Use/Function:
 - a. Electronic signs to be equipped to override commercial messages for emergency situations or to accommodate community messages.
- B. Route 72 Corridor:** including properties with frontage on both sides of Route 72 from the eastern limits of the Village to Route 31 (but excluding the lots at the northeast and southeast corner of Routes 31 and 72.)
1. Permitted locations:
 - a. Electronic signs are permitted for properties with underlying business zoning.
 - b. Only one electronic sign is permitted per zoning lot.
 - c. Changeable copy electronic signs are permitted in certain areas according to the size of the site measured by linear footage as follows:
 - (1) For single buildings, shopping centers or planned developments with linear frontage of one hundred eighty feet (180') or greater on Route 72:
 - (A) Maximum sign copy area is thirty (30) square feet.
 - (B) An electronic sign may not exceed fifty percent (50%) of the maximum sign copy area.
 - d. Maximum sign size:
 - (1) Maximum height: eight feet (8')
 - (2) Maximum width: ten feet (10')
 2. Base:
 - a. Electronic signs may only be incorporated into ground signs with solid masonry bases.
 - b. Unfinished concrete masonry units (CMUs) or unfinished poured concrete are not permissible masonry base materials.
 - c. Minimum base height shall be eighteen inches (18").
 - d. The electronic sign panel must be placed at the bottom of the overall sign panel immediately above the masonry base.
 - (1) Masonry base shall extend the full width of the sign panel.
 3. Display area:
 - a. Electronic copy may not contain any symbols, icons, characters, ideograms, or product representations.
 - b. Electronic copy shall be restricted to a maximum of two (2) colors displaying a dark background and light or contrasting text with colors reflecting those used in the fixed sign panel.
 - c. Electronic copy may not flash, blink, fade, scroll or roll or have any type of continuous movement.
 - d. Copy must be of a nonmoving persistent nature with a single message displayed for at least thirty (30) minutes.

4. Minimum Design Standards:
 - a. Higher resolution display panels are encouraged and an electronic sign panel shall not have more than ten millimeters (10 mm) pixel pitch spacing.
 - b. The unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at ~~the~~ all times of day. Such programming and mechanical equipment shall be set so that the unit, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.
 - c. All electronic signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
5. Ancillary Use/Function:
 - a. Electronic signs to be equipped to override commercial messages for emergency situations or to accommodate community messages.

C. Spring Hill Mall and Mall Surrounding Area: ~~including properties with frontage on the north and south sides of Route 72 west of Route 31 to Spring Hill Mall Entry/Locust Drive~~ including properties with frontage on Ring Road, Spring Hill Gateway, and properties along both the north and south sides of Route 72 from Route 31 to Sleepy Hollow Road, all property with commercial frontage along Huntley Road and the Elm Avenue entrance to the mall.

1. Permitted locations:
 - a. Electronic signs are permitted for properties with underlying business zoning.
 - b. Only one electronic sign is permitted per zoning lot.
 - c. Changeable copy electronic signs are permitted in certain areas according to the size of the site measured by linear footage as follows:
 - (1) For single buildings, shopping centers or planned developments with linear frontage of seven hundred feet (700') or greater on ~~Route 72~~ a single roadway:
 - (A) Maximum sign copy area is one hundred sixty (160) square feet.
 - (B) Maximum electronic sign copy area is a function of display resolution (see Section 4(a) below).
 - (C) Maximum sign height shall be twenty-five feet (25') for a monument sign or fourteen feet (14') for a ground sign, with up to ten percent (10%) additional for an architectural element atop sign.
 - (2) For single buildings, shopping centers or planned developments with linear frontage of between three hundred feet (300') and six hundred ninety-nine feet (699') on a single roadway:
 - (A) Maximum sign copy area is eighty (80) square feet.
 - (B) An electronic sign panel may not exceed fifty percent (50%) of the maximum sign copy area.
 - (C) Maximum sign height shall be fifteen feet (15') for a monument sign or ten feet (10') for a ground sign, with up to ten percent (10%) additional for an architectural element atop sign.
 - (3) For single buildings, shopping centers or planned developments with linear frontage of between two hundred feet (200') and two hundred ninety-nine feet (299') on a single roadway:
 - (A) Maximum sign copy area is sixty (60) square feet.
 - (B) An electronic sign panel may not exceed fifty percent (50%) of the maximum sign copy area.
 - (C) Maximum sign height shall be twelve feet (12') for a monument sign or eight feet (8') for a ground sign, with up to ten percent (10%) additional for an architectural element atop sign.

- (4) For single buildings, shopping centers or planned developments with linear frontage of less than two hundred feet (200') on a single roadway:
 - (A) Maximum sign copy area is forty (40) square feet.
 - (B) An electronic sign panel may not exceed fifty percent (50%) of the maximum sign copy area.
 - (C) Maximum sign height shall be ten feet (10') for a monument sign or seven feet (7') for a ground sign, with up to ten percent (10%) additional for an architectural element atop sign.
- ~~d. Maximum sign size:~~
 - ~~(1) Maximum height: twenty five feet (25') with up to ten percent (10%) additional for an architectural element atop sign~~
 - ~~(2) Maximum width: sixteen feet (16')~~
2. Base:
 - a. Electronic signs may only be incorporated into monument or ground signs with solid masonry bases.
 - b. Unfinished concrete masonry units (CMUs) or unfinished poured concrete are not permissible masonry base materials.
 - c. Masonry base shall extend the full width of the sign panel.
 - d. Minimum base height shall be eighteen inches (18").
 - e. Maximum base height shall be four feet (4').
 - f. Sign base shall be landscaped with plant material providing year-round appeal.
 - g. The electronic sign panel must be placed at the bottom of the overall sign panel immediately above the masonry base.
3. Display area:
 - ~~a. Electronic copy shall relay business name and brand identity and may otherwise not contain any symbols, icons, characters, ideograms, or product representations.~~
 - a. Electronic copy may not flash, blink, ~~fade~~, scroll or roll or have any type of continuous movement.
 - b. Copy must be of a nonmoving persistent nature with individual signs or messages displayed for at least ten (10) seconds. The change in copy shall be a full screen replacement without motion or other action techniques. No movement, flashing, animation or scrolling messages shall be permitted.
 - ~~c. An electronic sign of one hundred percent (100%) of copy area shall not have more than one individual sign changing or transitioning at a given time.~~
 - ~~d. An electronic sign of one hundred percent (100%) of copy area shall allocate no less than 20% of total display area for an individual sign.~~
 - ~~e. An electronic sign of one hundred percent (100%) of copy area shall have each of its individual signs restricted to a consistent appearance employing a dark background with a maximum of three (3) accent colors in light or contrasting text.~~
 - ~~f. An electronic sign of one hundred percent of copy area (100%) which chooses to feature the facility name shall have the facility's name employed in a static fashion at the top of the sign.~~
 - c. Electronic copy may not include any advertising unrelated to the businesses or facility where the electronic sign is located.
4. Minimum Design Standards:
 - a. Higher resolution display panels are encouraged.
 - (1) An electronic sign panel of up to 35% of sign copy area shall not have more than fourteen millimeter (14 mm) pixel pitch spacing.
 - (2) An electronic sign panel of between 35% and 50% of sign copy area shall not have more than ten millimeter (10 mm) pixel pitch spacing.
 - (3) An electronic sign panel in excess of 50% of copy area shall not have more than eight millimeter (8 mm) pixel pitch spacing.

- b. The unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at ~~the~~ all times of day. Such programming and mechanical equipment shall be set so that the unit, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.
 - c. All electronic signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
3. Ancillary Use/Function:
- a. Electronic signs to be equipped to override commercial messages for emergency situations or to accommodate community messages.

EXHIBIT B

TABLE 9-4-8C
 SIGNS FOR SPRING HILL MALL AND MALL SURROUNDING AREA
 Permit Required

Includes Spring Hill Mall and areas surrounding the mall including ~~the~~ properties with frontage on Ring Road, Spring Hill Gateway, and properties along both the north and south sides of Route 72 from Route 31 to Sleepy Hollow Road (~~but excluding the lots at northwest and southwest corner of Routes 72 and 31~~); all property with commercial frontage along ~~Tartan's Drive~~, Huntley Road and the Elm Avenue entrance to the mall.

| Freestanding: Only 1 type of sign within this category permitted per elevation | | | | | | |
|--|---|-------------------------|--------------------|---------------------|-----------------|---|
| Sign Type | Maximum Number | Frontage in Linear Feet | Maximum Copy Area | Maximum Height | Maximum Setback | Other Requirements |
| <u>Identification</u> | | | | | | |
| <u>Ground</u> | 1 per frontage; except businesses in shopping center are not allowed individual signs | <u>less than 200</u> | <u>40 sq. ft.</u> | <u>7 ft.</u> | 10 ft. | Signs must be displayed on frontage for which it is permitted, and shall either be centered along such frontage or located as to not be in the same lot quadrant. |
| | | <u>200-299</u> | <u>60 sq. ft.</u> | <u>8 ft.</u> | | |
| | | <u>300-699</u> | <u>80 sq. ft.</u> | <u>10 ft.</u> | | |
| | | <u>700 or more</u> | <u>160 sq. ft.</u> | <u>14 ft.</u> | | |
| <u>Monument</u> | 1 per frontage; except businesses in shopping center are not allowed individual signs | <u>less than 200</u> | <u>40 sq. ft.</u> | <u>10 ft.</u> | 10 ft. | The square footage for 2 allowed signs may be combined into a single corner sign, if this option is chosen the maximum copy area can be increased by 10 sq. ft. |
| | | <u>200-299</u> | <u>60 sq. ft.</u> | <u>12 ft.</u> | | |
| | | <u>300-699</u> | <u>80 sq. ft.</u> | <u>15 ft.</u> | | |
| | | <u>700 or more</u> | <u>160 sq. ft.</u> | <u>25 ft.</u> | | |
| Development identification or directory | 1 sign per frontage | | 40 sq. ft. | 15 ft. for monument | 10 ft. | This option is chosen the maximum copy area can be increased by 10 sq. ft. |
| Monument or ground | | | 7 ft. for ground | | | |
| Surface mounted: Only 1 type of surface mounted sign permitted per elevation exceeding 50 ft. except for extra front wall sign | | | | | | |

| Sign Type | Maximum Number | Maximum Copy Area | Other Requirements |
|--|---|--|---|
| Wall identification | 1 per elevation facing a street or an access connection | 10% of wall area, but no sign shall exceed the following: | No wall signs shall be permitted for individual tenants in a multi-story or multi-tenant office building, unless specifically authorized as part of an approved sign plan |
| | | Front yard setback 75 ft. or less: 100 sq. ft. | |
| | | Front yard setback of 76 ft. to 250 ft.: 150 sq. ft. | |
| | | Front yard setback of 251 ft. to 500 ft.: 200 sq. ft. | |
| | | Front yard setback of 501+ ft.: 250 sq. ft. | |
| Extra front wall for large footprint buildings, identification | 2 at elevation with front entrance | Up to 50% of the main identification wall sign, exact size dependent upon frontage and placement | These signs are support signs to further delineate product available in the store. Must be surface mounted wall signs. Cannot be same copy as the main identification sign but cannot be advertising slogan lines |
| Blade | May be used as substitute for 1 permitted wall sign | 10% of wall area, but no sign shall exceed 50 sq. ft. | May not inhibit line of sight |
| Awning | - | 5 sq. ft. on slope only | May not be used as primary wall sign. At least 8 ft. above the public sidewalk |
| Canopy | 1 per commercial frontage | 15 sq. ft. on vertical surface side only | At least 8 ft. above the public sidewalk |
| Other: Permit required: | | | |
| Sign Type | Maximum Number | Maximum Copy Area | Other Requirements |
| Real estate or construction | 1 wall or freestanding per commercial frontage | 20 sq. ft. | For multi-tenant building. Freestanding real estate sign must be removed at 75% occupancy. Wall sign may still be used on the |

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| | | | premises available for lease/sale. If the space is not visible from a right of way a wall sign may be permitted on an exterior building wall |
|--|--|--|--|

Note:

1. See section 9-4-7, *Electronic Changeable Copy Signs, Subsection C1 of this chapter under requirements for electronic changeable copy signs for required linear frontage, maximum size, maximum copy area and Subsection C4a for required display resolution.*