

### 17.20.030 – Standards for specific uses

The following requirements shall apply to the specified uses allowed as permitted or special uses in the zoning districts, in addition to all other applicable provisions of this Title:

#### A. Adult Uses

Adult uses shall be subject to the following standards:

1. No adult use shall be located within one thousand (1,000) feet of any residential district, CBD-1, CBD-2, BT Overlay District, or PL District, or within one thousand (1,000) feet of a place of worship, school or another adult use.
2. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to “Specified Sexual Activities” or “Specified Anatomical Areas” from any public way or from any adjacent property. This provision shall apply to any display, decoration, sign, show window or other opening.

#### B. Agriculture

Agriculture is permitted only on lots of ten (10) acres or more, and the following standards shall be met:

1. No livestock or poultry shall be kept.
2. No retail sales of agricultural products shall be conducted on the premises.
3. Agricultural uses are distinct from private horse stables. (See Paragraph M below.)

#### C. Alcohol or Tobacco Sales Establishment

1. In the BL Local Business District, this use is permitted only on properties with frontage on Main Street/Route 64, Randall road, or Kirk Road.
2. In the CBD-2 Mixed Use Business District, this use is permitted only on peroperties with frontage on Main Street/Route 64.

#### D. Artist Live/Work Space

Artist live/work space shall conform to the standards applicable to home occupations, except that the floor area devoted to non-residential activity shall not be limited.

#### E. Auxiliary Dwelling Units

Auxiliary dwelling units, attached and detached, are subject to the following standards:

1. Occupancy of any auxiliary dwelling unit shall be limited to no more than two (2) persons.
2. Only one (1) auxiliary dwelling unit, either detached or attached, shall be permitted on a lot.
3. The auxiliary dwelling unit shall have a maximum floor area of not more than seven hundred (700) square feet.
4. Auxiliary dwelling units shall comply with all yard requirements of the zoning district.
5. The vehicle access door of any new garage associated with the construction of an auxiliary dwelling unit shall be set back a minimum of eighteen (18) feet from any street right-of-way line.
6. Annual registration and inspection of the principal dwelling unit and the auxiliary dwelling unit is required. If the owner fails to register and submit to an inspection, the auxiliary dwelling unit shall not be occupied until compliance is obtained.
7. No more than one (1) of the units, either the principal dwelling unit or the auxiliary dwelling unit, may be renter-occupied. A deed restriction shall be recorded prior to issuance of a building permit for the auxiliary dwelling unit to provide notice of this requirement to subsequent owners.
8. The auxiliary dwelling unit shall not be larger in area or higher than the principal dwelling unit.
9. A new separate driveway providing exclusive access to the auxiliary dwelling unit shall not be permitted.
10. Detached auxiliary dwelling units shall be located at least ten (10) feet from the principal dwelling unit.
11. Detached auxiliary dwelling units shall not be located closer to the street than the principal dwelling unit.  
(Ord. 2004-Z-12 § 3.)

#### F. Banks in CBD-2 District Banks in CBD-2 Districts shall be subject to the following standards:

1. Banks shall only be located on lots with a minimum lot area of twenty thousand square feet (20,000 sq. ft.).
2. Banks shall only be located on lots that have frontage along Route 31, Route 64 and Route 25.
3. No more than one-third of the perimeter of the lot shall be adjoining or across the street from a residential zoning district.
4. For corner lots, access to the lot shall be provided from side streets rather than Route 25, Route 64 or Route 31.
5. For drive through banks, no more than two (2) drive through lanes shall be allowed.  
(Ord. 2008-Z-3 § 3.)

G. Bed and Breakfast Establishment

Bed and breakfast establishments shall comply with the following standards:

1. Guest rooms shall not include cooking facilities.
2. A maximum of five (5) bedrooms may be provided for registered guests.
3. The maximum stay by any guest shall be limited to thirty (30) days.
4. All required guest parking shall be provided on-site.

(Ord. 1988-Z-8 § 1.)

H. Drive-Through Facilities and Car Washes

See Section 17.24.100 for requirements for drive-through facilities and car washes.

I. Gas Station

1. Restaurants in gas stations shall be required to meet the parking requirements for restaurants in addition to those for gas stations.
2. Fuel pumps shall be located no closer than twenty (20) feet from any lot line and shall be located so that a vehicle using the fuel pump does not encroach into the public right of way or onto adjoining property
3. Gas station canopies shall be subject to the lighting standards of Section 17.22.040 (Site Lighting). Gas station canopies shall also meet all applicable setback requirements for the principal building.
4. The provisions hereof relating to Outdoor Sales shall apply if Outdoor Sales are included.

J. Group Homes

1. Group Home, Small: Off-street parking shall be provided in accordance with the requirements for dwelling units.
2. Group Home, Large: If off-street parking is needed in excess of what is required for a single family dwelling, it shall be provided in accordance with the specific needs of the group home, as a condition of the granting of a special use.

(Ord. 2001-Z-11 § 1.)

K. Home Occupations (See also definition in Chapter 17.30) Home occupations are permitted in any dwelling unit. The purpose of home occupation standards is to allow home occupations to be conducted in a manner which is compatible with the neighborhoods in which they are located and which do not interfere with the rights of the surrounding property owners to enjoy the residential character of the neighborhood. Home occupations shall conform to the following standards, which are intended to preserve the residential character of neighborhoods:

1. The home occupation shall be incidental to the residential use of the dwelling unit.
2. A home occupation shall not be established prior to the member(s) of the family conducting the home occupation taking possession of, and residing in, the dwelling unit.
3. The home occupation shall be conducted entirely within the dwelling unit and shall be limited to the lesser of five hundred (500) square feet or twenty-five (25%) percent of the gross floor area of the dwelling unit, including any basement and attached garage.
4. Only one person who does not reside on the premises may be employed to work at the home occupation, with the exception that day care homes may have more than one (1) non-resident employee, to the extent required by State of Illinois licensing requirements.
5. Exterior building signs shall be permitted only as authorized by the sign regulations for the district.
6. No exterior storage or display of business equipment, materials, merchandise, inventory or heavy equipment shall be permitted.
7. A home occupation shall not generate noise, vibration, glare, fumes, odors or electrical interference discernible at the property line.
8. The home occupation shall not generate vehicular or pedestrian customer traffic between the hours of 9:00 pm and 8:00 am.
9. The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to the US Postal Service, similar parcel delivery service, or private passenger automobile.
10. The use of an accessory building for a home occupation shall be permitted provided the occupation is conducted wholly within the accessory building and the use does not exceed five hundred (500) square feet in area.
11. There may be more than one (1) home occupation permitted per dwelling unit; however, the total combined home occupations for any single dwelling unit shall not exceed any of the standards set forth in this Title.
12. No home occupation shall cause the rate of water usage (gallons per minute) to exceed the maximum rate capable of being produced by the existing water service.

## 17.20.030 Standards for specific uses

---

(Ord. 1993-Z-19 § 3; Ord. 1990-Z-1 § 1; Ord. 1988-Z-8 § 1; Ord. 1983-Z-5 § 2; Ord. 1983-Z-5 § 1; Ord. 1960-16 § VII (A) (1); Ord. 1960-16 § III (part).)

### L. Horse Stables, Private

Private horse stables shall meet the following standards:

1. Private horse stables are permitted only as an accessory use to a single-family detached dwelling and shall not be permitted on single-family lots of less than two (2) acres.
2. Not more than one (1) horse shall be kept for each fenced acre of pasture and not more than four (4) horses over the age of nine (9) months shall be kept on the premises.
3. Not more than fifty percent (50%) of the total lot area shall be devoted to the keeping of horses.
4. All structures used for the shelter of horses, and all storage areas for manure, shall be located a minimum of ninety (90) feet from side and rear lot lines, and one hundred fifty (150) feet from front lot lines.
5. Adequate utility services and drainage facilities, as determined by the City Engineer, shall be provided.
6. The method of manure storage and removal shall meet the requirements of the St. Charles Municipal Code and the Illinois Environmental Protection Agency, and must be conducted so as not to be offensive or injurious to public health.

### M. Kennels

Kennels shall comply with the following standards:

1. Outdoor runs and exercise areas shall be a minimum of one thousand (1000) feet from any residential zoning district.
2. All animals shall be kept either within completely enclosed structures or under direct control of the kennel operator or staff at all times, and shall be kept within completely enclosed structures between the hours of 9:00 PM and 7:00 AM.
3. The operation of the kennel shall not allow the creation of noise by any animal or animals under its care which can be heard by any person at or beyond the property line of the lot on which the kennel is located, which occurs a) repeatedly over at least a seven-minute period of time at an average of at least twelve animal noises per minute, or b) repeatedly over at least a fifteen minute period of time, with one minute or less lapse of time between each animal noise during the fifteen-minute period.

### N. Medical Cannabis Cultivation Center

A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

(Ord. 2014-Z-8 § 3.)

### O. Medical Cannabis Dispensing Organization

1. A dispensing organization may not be located within 1,000 feet of the property line of a preexisting public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.
2. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use.

(Ord. 2014-Z-8 § 3.)

### P. Motor Vehicle Sales and Leasing Establishments

1. Newly established Motor Vehicle Sales and Leasing establishments shall have a minimum lot area of one hundred thousand (100,000) square feet.
2. All Outdoor Motor Vehicle Display areas shall be landscaped in accordance with Chapter 17.26, except:
  1. Where an Outdoor Motor Vehicle Display area adjoins a building wall containing showroom display windows, Building Foundation Landscaping may be relocated when:
    1. An equivalent amount of Building Foundation Landscaping is provided at an alternate location between the building wall and the street, at a location not more than 125 feet from the building wall.
    2. The vehicle display area adjacent to the building wall is constructed as a concrete-curbed platform, paved with decorative concrete or masonry.
    3. Building Foundation Landscaping is provided adjacent to or within 16 ft. of all exterior corners of the building wall.
  2. Internal Parking Lot Landscaping may be relocated to the perimeter of the Outdoor Motor Vehicle Display area in a location visible from streets adjoining the lot; however landscape islands shall be required at the end of all vehicle display rows.

## 17.20.030 Standards for specific uses

---

(Ord. 2014-Z-8 § 3; Ord. 2010-Z-2 § 2).

### Q. Motor Vehicle Service and Repair, Minor

Minor motor vehicle service and repair shops shall not store or park any vehicle on the site for longer than five (5) business days. Minor motor vehicle service and repair shops with fuel pumps shall also comply with the requirements applicable to Gas Stations. All repair operations shall be fully enclosed, and wrecked or junked vehicles shall not be stored for longer time periods than those specified above.

### R. Motor Vehicle Service and Repair, Major

Major motor vehicle service and repair shops shall not store or park any vehicle on the lot, including but not limited to wrecked or junk vehicles, for longer than forty-five (45) days. All repair operations shall be conducted within fully enclosed buildings and all storage of vehicles and equipment shall be fully screened by means of fencing or landscaping or a combination thereof.

### S. Motor Vehicle Storage Permanent and Temporary

Motor Vehicle Storage shall comply with the following standards. See 17.20.050 for additional provisions applicable to Temporary Motor Vehicle Storage.

1. Off-street parking facilities designed to conform with the requirements of Chapter 17.24 may be used for Motor Vehicle Storage, in compliance with the following requirements:
  1. No vehicles shall be stored in an off-street parking space required for any other use located on the same or another lot.
  2. Vehicles shall be parked within designated off-street parking spaces and shall not obstruct vehicular access to parking stalls or any portion of the lot.
2. Newly established Permanent Motor Vehicle Storage lots shall comply with the requirements applicable to Off-Street Parking Facilities, except:
  1. 17.26.090 A. Interior Parking Lot Landscaping
  2. 17.24.070 B. Dimensions, if a twenty-four (24) foot wide access drive is provided generally around the perimeter of the Motor Vehicle Storage lot.
  3. Direct access to individual spaces shall not be required.
3. Permanent Motor Vehicle Storage lots shall not be used as Off-Street Parking Facilities unless modified to comply with all requirements of this Title.
4. Commercial Vehicles shall only be stored in the M-2 district.
5. Stored vehicles shall be operable and no wrecked or junked vehicles shall be permitted.
6. Signage advertising the vehicles for sale or rental is prohibited.
7. Motor Vehicle Storage lots shall not be used to conduct retail sales and no retail customers shall be present at any time.
8. No single vehicle shall be stored in excess of 180 days.
9. Permanent Motor Vehicle Storage lots in the M-1 Special Manufacturing District shall:
  10.
    1. Not be located closer than 500 feet to any residentially zoned property.
    2. Not be located on a lot that is less than 2-acres in area.  
(Ord. 2013-Z-8 § 3; Ord. 2008-Z-24 § 9.)

### T. Outdoor Uses Generally

All business, sales, service, storage and display of goods, manufacturing, and repairs shall be conducted wholly within enclosed buildings, except where a permanent or temporary outdoor use is specifically allowed by this Title.

### U. Outdoor Dining

1. Permanent Outdoor Dining shall be permitted only as an accessory use to a restaurant or when specifically permitted in conjunction with a temporary use.
2. Outdoor Dining areas shall not be located in a required yard abutting any residential district.
3. The sound level of any music or other sound shall not exceed sixty (60) decibels, as measured at the property line, and no music or other sound under the control of the property owner shall occur outdoors between the hours of 10:00 pm and 10:00 am.

### V. Outdoor Entertainment

Outdoor Entertainment shall be permitted only as an accessory use to a restaurant, except as a temporary use in accordance with Section 17.20.050 E.

### W. Pet Care Facilities Pet Care Facilities” shall comply with the following standards:

1. Outdoor exercise areas shall not be located on a property that abuts a residentially zoned property.
2. Outdoor exercise areas that directly abut or face any residentially zoned properties, commercially zoned properties, and any public street shall be screened with a 100% opaque non-see-through fence

or wall.

3. All animals shall be kept either within completely enclosed structures or under direct control of the facility operator or staff at all times, and shall be indoors between the hours of 7:00 PM and 7:00 AM.
4. The operation of the Pet Care Facility shall not allow the creation of noise by any animal or animals under its care which can be heard by any person at or beyond the property line of the lot on which the kennel is located, which occurs a) repeatedly over at least a seven-minute period of time at an average of at least twelve animal noises per minute, or b) repeatedly over at least a fifteen minute period of time, with one minute or less lapse of time between each animal noise during the fifteen-minute period.

(Ord. 2014-Z-5 § 2.)

X. Outdoor Sales

This Section regulates Outdoor Sales areas that are used for longer periods of time than Temporary Outdoor Sales areas permitted in Section 17.20.050 A, whether permanent or seasonal. These Outdoor Sales areas are permitted only if allowed by the regulations of the zoning district in which the lot is located, and shall conform to the following requirements:

1. Outdoor Sales shall not be conducted within 50 ft. of any residential zoning district or public street unless completely screened from view. Complete screening shall consist of an opaque barrier of landscaping, walls, fencing, berms or other methods sufficient in density and height to render the Outdoor Sales operation invisible from the lot line of any lot in a residential zoning district, and from the street. Outdoor sales located more than 50 feet from residential zoning districts and public streets need not be screened.
2. The lot coverage of Outdoor Sales areas on the lot shall be limited to not more than five percent (5%) of the lot area; the lot coverage of Temporary Outdoor Sales areas shall not be included in this calculation.
3. Outdoor Sales shall be conducted only within the designated area.
4. Outdoor Sales areas and the surrounding premises shall be maintained in an orderly manner, free of litter and other refuse. Storage of goods for sale shall be no more than five (5) feet in height. Outdoor Sales shall not obstruct required access to buildings or parking spaces on the site, or to adjoining property.
5. Outdoor Sales areas accessory to a Gas Station are permitted without a special use, provided their area is limited to a total lot coverage of 30 square feet multiplied by the number of dispensing pumps on the lot, and shall be located only within the pump islands or on a sidewalk adjoining the building. Outdoor Sales accessory to a Gas Station in excess of this limitation shall require a Special Use, if required by the district regulations.
6. See 17.20.050 A for additional provisions applicable to Temporary Outdoor Sales.

(Ord. 2014-Z-5 § 2; Ord. 1986-Z-4 § 1.)

Y. Outdoor Storage

Outdoor storage, other than parking and storage of commercial and recreational vehicles as regulated by Sections 17.24.120 and 17.24.130 shall only be allowed as an accessory use as provided in the district regulations, and shall be screened in accordance with Section 17.26.120.

(Ord. 2014-Z-5 § 2; Ord. 2008-Z-36 § 4.)

Z. Places of Worship in the M-1 Limited Manufacturing District Newly established Places of Worship in the M-1 District shall meet the following requirements:

1. The minimum lot area shall be one (1) acre.
2. The lot, on which the Place of Worship is established, shall have frontage on one of the following major arterials Main Street, Randall Road, or Kirk Road.

(Ord. 2009-Z-7 § 3.)

AA. Recreational Cannabis Uses

1. The number of Recreational Cannabis Dispensing Organizations shall be limited to no more than two (2). Only one (1) Recreational Cannabis Dispensing Organization shall operate on the east side of the Fox River and only one (1) Recreational Cannabis Dispensing Organization shall operate on the west side of the Fox River. No Recreational Cannabis Dispensing Organization shall operate without written authorization from the Director of Community and Economic Development.
2. One of the two Recreational Cannabis Dispensing Organizations shall have operated as a Medical Cannabis Dispensing Organization licensed by the State of Illinois within the St. Charles corporate limits for a minimum consecutive period of one (1) year. One of the two Recreational Cannabis

## 17.20.030 Standards for specific uses

---

Dispensing Organizations shall have operated as a Medical Cannabis Dispensing Organization licensed by the State of Illinois within the State of Illinois for a minimum consecutive period of one (1) year.

3. A Recreational Cannabis Dispensing Organization shall not be located on a parcel that is within 250 ft. of a parcel containing a pre-existing Primary or Secondary School, Private Boarding School, Day Care Center, Day Care Home, Church, or a parcel within a single-family residential zoning district, specifically the RE-1, RE-2, RS-1, RS-2, RS-3, RS-4, RT-1, RT-2, RT-3, and RT-4 districts.
4. A Recreational Cannabis Dispensing Organization shall not be located within 1,500 ft. of the property line of another Recreational Cannabis Dispensing Organization or Medical Cannabis Dispensing Organization.
5. City approval of a Special Use for Recreational Cannabis Dispensing Organization shall be conditional upon the applicant providing the City with documentation proving receipt of a valid Adult Use Dispensing Organization License, as defined in the Cannabis Regulation and Tax Act, granted from the State of Illinois Department of Financial and Professional Regulation.
6. Consumption of cannabis and cannabis-infused products on the premises of any cannabis business establishment as defined in the Cannabis Regulation and Tax Act shall be prohibited.
7. Recreational Cannabis Cultivation Center, Recreational Cannabis Craft Grower, Recreational Cannabis Infuser Organization or Infuser, Recreational Cannabis Processing Organization, and Recreational Cannabis Transporting Organization shall not be permitted in any zoning district.

BB. Refuse Dumpsters and Recycling Containers Outdoor refuse dumpsters, recycling containers, compacting equipment, pallet storage, baled cardboard, and other refuse and recycling materials are permitted as an accessory use in any zoning district, provided that they are screened in accordance with Section 17.26.120 A, and that the refuse and recycling materials shall only be permitted to be present on the lot until the next regular refuse and recycling pickup date for the property served.

(2019-Z-19 : § 3; 2016-Z-5 : § 3; 2009-Z-7 : § 4; 2008-Z-24 : § 10; 2003-Z-13 : § 5)