

12.40 – City Corridor Improvement Program

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12.40.010 – Purpose

The purpose of this Chapter is to promote and protect the public health, safety and welfare by establishing the Corridor Improvement Program and providing for the administration thereof. The Corridor Improvement Program is intended to improve the aesthetics of Eligible Properties by providing financial assistance to property owners or tenants to subsidize the construction of Eligible Improvements. Said improvements shall:

1. Enhance the overall economic vitality and character of the City through improvement of private property and public rights of way adjoining eligible properties; and,
2. Protect the general welfare by aesthetically enhancing Eligible Properties; and,
3. Create and maintain physical improvements that enhance community character by providing unique and familiar visual features.

(2013-M-39 : § 2; 2009-M-8 : § 1; 2001-M-24 : § 1)

12.40 City Corridor Improvement Program

12.40.020 – Definitions

As used in this Chapter, the following terms shall have the meanings set forth herein:

City-Owned

A designated parcel or area of right-of-way identified in the City -Owned Properties Corridor Improvement Program Description attached to this Ordinance as "Exhibit B" and incorporated herein by this reference.

City-Owned Property Improvement Project

An improvement project on one of the designated City-Owned Properties identified in "Exhibit B" City-Owned Properties Corridor Improvement Program Description.

Corridor Improvement Agreement

An agreement between a property owner or tenant and the City that provides for the amount of the Corridor Improvement Grant, the improvements to be completed and the responsibilities of the property owner or tenant.

Corridor Improvement Grant or Grant

Financial assistance to Grant Recipients to reimburse the cost of Eligible Improvements. Grants may be awarded in the specific forms set forth in the program description attached to this Ordinance as Exhibit "A", and incorporated herein by this reference. "Eligible Improvements": The design, purchase and planting or construction of Landscaping Materials on an Eligible Property, including related site preparation.

Eligible Improvements

The design, purchase and planting or construction of Landscaping Materials on an Eligible Property or City-Owned Property, including related site preparation.

Eligible Properties

Properties located within the corporate limits of the City of St. Charles and have frontage on main Street (Route 64), Randall Road, Lincoln Highway (Route 38), Kirk Road, are located in the Downtown Special Service Area (SSA-1B), located in a public right-of-way adjoining and Eligible Property, City-Owned Property, or in one of the Key Gateway areas identified in Exhibit A."

Grant Recipient

The owner of record, tenant of an Eligible Property or such other party having a legal interest therein or a non-profit 501(c)(3) organization that is installing Landscaping Materials on an Eligible Property.

Landscaping Materials

Plants, trees, shrubs, bulbs, flowers, hardscape materials (decorative fencing, berming, decorative walls, statuary, and the like), and other similar elements approved by CIC.

Exhibits:

 Title 12 Exhibit A.pdf

 Title 12 Exhibit B.pdf

(2019-M-18 : § 2; 2018-M-4 : § 2; 2014-M-43 : § 1; 2013-M-39 : § 2; 2009-M-8 : § 1; 2001-M-24 : § 1)

12.40.050 – Grant application procedure

1. Applications for Corridor Improvement Grants shall be made by completing the application form available from the Community Development Department.
2. The Community Development Department shall evaluate all Grant applications based upon its ability to satisfy the program requirements and further the objectives of the Comprehensive Plan.
3. The City Council shall review the grant applications and shall render a decision to approve or deny the Grant application based upon its ability to satisfy the program requirements and further the objectives of the Comprehensive Plan.
4. Grants shall be awarded to reimburse Grant Recipients for costs as set forth in this Ordinance.

(2019-M-18 : § 2; 2009-M-8 : § 1; 2001-M-24 : § 1)

12.40.060 – Corridor Improvement agreements

Grant Recipients shall execute a Corridor Improvement Agreement in a form satisfactory to the City. The terms of said Agreement shall include, but not limited to:

- A. The Corridor Improvement Grant shall only be used for Eligible Improvements.
 1. The Eligible Improvements shall exceed the minimum landscaping requirements of St. Charles Title 17 of the City Code (Zoning Ordinance) and all other provisions of the City Code. In the event that an Eligible Property is subject to a Planned Unit Development (PUD), the proposed improvements must exceed the landscaping required by the applicable PUD landscape plan.
 2. Only projects that include improvements considered “above and beyond” any improvements required by Title 17 of the City Code (Zoning Ordinance) are eligible for reimbursement. Landscape materials and quantities that only meet the minimum requirements of the Zoning Ordinance will not be considered for a Corridor Improvement Grant.
 3. In no event shall Corridor Improvement Grant funds be used for permit or other fees imposed by a governmental entity.
- B. Eligible Improvements shall be completed in strict accordance with the approved landscaping plan. Approved landscape plans shall comply with the City Code and the program description. The Director of Community Development may, at his or her discretion, approve minor revisions to said plan due to the unavailability of Landscape Materials, delayed due to weather, availability of materials or other circumstances beyond the reasonable control of Grant Recipients.
- C. Eligible Improvements shall be completed in a timely manner.
 1. All Eligible Improvements shall be completed within two hundred-seventy (270) calendar days of the execution of the Corridor Improvement Agreement. The City may, at its sole discretion, authorize an extension of up to two hundred-seventy (270) calendar days. In the event that the Eligible Improvements are not complete in the time provided by the Corridor Improvement Agreement (or extension thereof as the case may be) the City shall not be obligated to reimburse Grant Recipients after the date of expiration.
 2. Construction of the Eligible Improvements shall not commence prior to the execution of the Corridor Improvement Agreement; improvements constructed prior to the execution of said Agreement shall not be eligible for Grant funds.
- D. Disbursement procedures; reimbursement of costs.
 1. Upon completion of the Eligible Improvements, Grant Recipients shall submit copies of all design invoices, contractor’s statements, other invoices, proof of payment and notarized final lien waivers to the Director of Community Development. Grant funds shall not be disbursed without supporting documentation.
 2. Notwithstanding any other provision herein, the Director of Community Development may, at his or her discretion, authorize disbursement of Grant funds before the Eligible Improvements are completed if: (a) at least forty percent (40%) of the Eligible Improvements are constructed; and (b) design invoices, contractor’s statements, other invoices, proof of payment, and notarized final lien waivers have been submitted; and (c) the completion of the remaining Eligible Improvements are delayed due to weather, unavailability of Landscaping Materials or other circumstances beyond the reasonable control of the Grant recipients.
- E. Grant Recipients shall maintain the Eligible Improvements without alteration for five (5) years after the execution of the Corridor Improvement Agreement. A restrictive covenant limiting alterations may be required by the City Council at the time of approval of the Corridor Improvement Agreement.
- F. Grant Recipients shall expressly acknowledge that Corridor Improvement Grants may be subject to Federal, State and local taxes and as such, they have consulted with their attorney or tax advisor. Grant Recipients shall provide the City with their social security or taxpayer identification number and such other information as may be required by the City.
- G. To the fullest extent permitted by law, Grant Recipients shall agree to indemnify, defend, protect and hold harmless the City. The terms of said indemnification and hold harmless shall be set forth in the Corridor Improvement Agreement.
- H. Grant Recipients shall purchase and maintain general liability insurance naming the City as additional insured party as set forth in the Corridor Improvement Agreement.

(2019-M-18 : §2; 2013-M-39 : § 2; 2009-M-8 : § 1; 2001-M-24 : §1)

12.40.070 – City-Owned Property Program

- A. After December 1st of each calendar year, the Director of Community Development may review the available program budget to determine if sufficient funds remain to initiate a design plan of a City-Owned Property as identified in Exhibit B.
- B. Upon the determination that sufficient funds are anticipated in the current fiscal year, the Director of Community Development may proceed with a design plan of an identified City-Owned Property and present the plan and cost estimates for City Council approval.

Exhibits:

 Title 12 Chapter 40 Exhibit A.pdf

 Title 12 Chapter 40 Exhibit B.pdf

(2019-M-18 : § 2; 2018-M-4 : § 5; 2009-M-8 : § 1)

12.40.080 – Funding Source

The Corridor Improvement Program shall be funded by the City of St. Charles General Fund.

(2018-M-4 : § 4)