

City of St. Charles, Illinois

Ordinance No. 2008-Z-29

**An Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning" Regarding Building
Foundation Landscaping in the M1 and M2
Manufacturing Districts**

**Adopted by the
City Council
of the
City of St. Charles
August 18, 2008**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, August 22, 2008**

Nancy Garrison

City Clerk



(SEAL)

DATE OF PUBLICATION 08/20/08
NEWSPAPER KANE COUNTY CHRONICLE

REPORT NO. 08/18/08
DATE 08/18/08
PAGE

ORDINANCE NO. 2008-Z- 29

AN ORDINANCE AMENDING TITLE 17 OF THE ST. CHARLES MUNICIPAL CODE ENTITLED "ZONING" REGARDING BUILDING FOUNDATION LANDSCAPING IN THE M1 AND M2 MANUFACTURING DISTRICTS

WHEREAS, on or about June 18, 2008, Triad Construction Services, Inc. ("the Applicant") filed a petition to amend the Zoning Ordinance of the City of St. Charles regarding Building Foundation Landscaping in the M1 and M2 Manufacturing Districts; and,

WHEREAS, Notice of Public Hearing on said petition was published on or about June 20, 2008, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about July 8, 2008, on said petition in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the petition on or about July 22, 2008; and,

WHEREAS, the City Planning and Development Committee recommended approval of the petition on or about August 11, 2008; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

SECTION ONE: The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

SECTION TWO: That Section 17.26.080 entitled “Building Foundation Landscaping” in Chapter 17.26 entitled “Landscaping and Screening” is hereby amended by adding the following thereto:

“Within the M-1 and M-2 Districts, building foundation landscaping may be modified along walls that face lot lines which abut another lot in the M-1 or M-2 district and do not abut a street. The requirement shall only be modified for the portion of such walls located a distance greater than two times the required yard setback from any street, in compliance with the following:

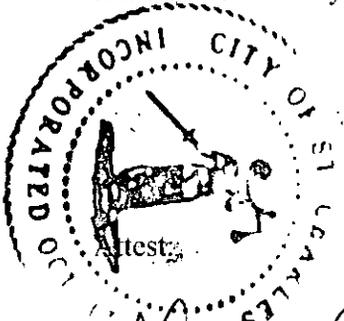
- Where off-street parking or loading areas abut a building wall, building foundation landscaping shall not be required.
- Where off-street parking or loading areas do not abut a building wall, building foundation landscaping shall be required; however this requirement shall be waived if an equivalent area of landscaping is provided in an alternate location, subject to the approval of the Director of Community Development. Shade or ornamental trees may be utilized to meet this requirement at a rate of one tree per 160 square feet of required building foundation landscape area.”

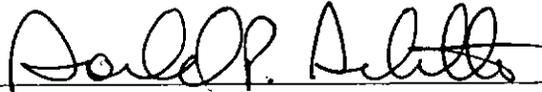
SECTION THREE: That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

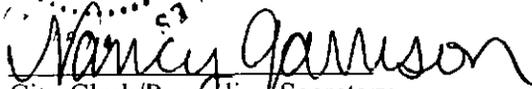
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of August, 2008.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of August, 2008.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties,
Illinois this 18th day of August, 2008.




Donald P. DeWitte, Mayor


City Clerk/Recording Secretary

VOICE VOTE:
AYES: 9
NAYS: 0
ABSENT: 1
ABSTAIN:

State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

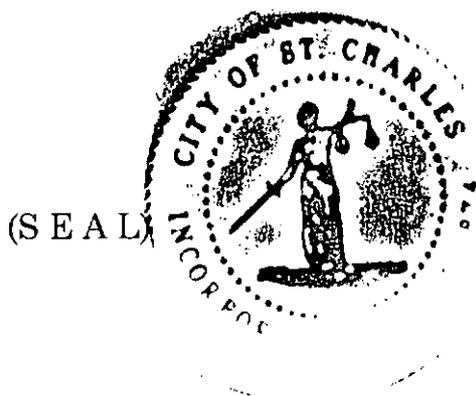
I further certify that on August 18, 2008, the Corporate Authorities of such municipality passed and approved Ordinance No. 2008-Z-29, entitled

"An Ordinance Amending Title 17 of the St. Charles
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Manufacturing Districts,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2008-Z-29, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on August 22, 2008, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 18th day of August 2008.



Nancy Garrison
Municipal Clerk