

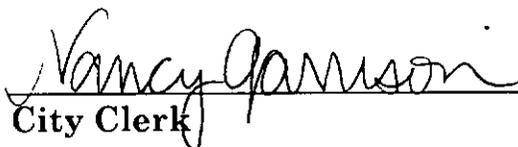
City of St. Charles, Illinois

Ordinance No. 2008-Z-36

**An Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning" Regarding Off
Street Parking Requirements for Manufacturing,
Light & Heavy, and Warehouse/
Distribution Uses in the M1 Special Manufacturing
District and M2 Limited Manufacturing District**

**Adopted by the
City Council
of the
City of St. Charles
December 15, 2008**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, December 19, 2008**


City Clerk



DATE OF PUBLICATION 12/19/08
PUBLISHED Pamphlet

RECEIVED
DATE 12/15/08
PAGE _____

ORDINANCE NO. 2008-Z- 36

AN ORDINANCE AMENDING TITLE 17 OF THE ST. CHARLES MUNICIPAL CODE ENTITLED "ZONING" REGARDING OFF-STREET PARKING REQUIREMENTS FOR MANUFACTURING, LIGHT & HEAVY, AND WAREHOUSE/DISTRIBUTION USES IN THE M1 SPECIAL MANUFACTURING DISTRICT AND M2 LIMITED MANUFACTURING DISTRICT

WHEREAS, on or about October 14, 2008, The City of St. Charles ("the Applicant") filed a petition to amend the Zoning Ordinance of the City of St. Charles regarding Off- Street Parking Requirements for "Manufacturing, Light & Heavy" and "Warehouse/Distribution" uses in the M1 Special Manufacturing District and M2 Limited Manufacturing District; and,

WHEREAS, Notice of Public Hearing on said petition was published on or about October 17, 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 November 4, 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 November 18, 2008; and,

WHEREAS, the City Planning and Development Committee recommended approval of the petition on or about December 8, 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: Chapter 17.24 entitled “Off-Street Parking, Loading & Access” is hereby amended by adding the following new Section 17.24.110, entitled “Required Off-Street Parking for Manufacturing, Light & Heavy, and Warehouse/Distribution Uses” thereto:

“17.24.110 Required Off-Street Parking for Manufacturing, Light & Heavy, and Warehouse/Distribution Uses

A. Required Spaces. One (1) space per one thousand (1,000 sq. ft.) square feet of GFA; except for buildings in the M-1 district of five-thousand (5,000) square feet or less of GFA, the requirement may be administratively reduced to two-thirds (0.66) spaces per one-thousand (1,000) square feet GFA.

B. Reduction of Required Spaces for Buildings over 5,000 square feet GFA in the M-1 District.

1. Required off-street parking spaces for Manufacturing, Light & Heavy, and Warehouse/Distribution uses located within buildings over five-thousand (5,000) square feet of GFA in the M-1 district may be reduced by up to thirty-three percent (33%) by the City Council, after receiving a recommendation from the Plan Commission, if the petitioner presents a study with quantifiable evidence based on comparable facilities that demonstrates:
 - a. The number of parking spaces may be reduced without affecting the ability to adequately accommodate vehicles for employees, business-owned vehicles, vehicles for visitors, and all other vehicles necessary for the business, and provide adequate spaces during an overlap of employee shifts.
 - b. The reduction in parking shall not cause a shortage of parking for other uses or businesses located in the area.
2. The approval of a reduced number of parking spaces shall apply only to the specific business for which the study was conducted. Should the business change the intensity of the use, expand the facility, or leave the premises, the reduction granted by this provision shall no longer be valid.

C. Land Banking of Required Spaces in the M-2 District.

1. Required off-street parking spaces for Manufacturing, Light & Heavy, and Warehouse/Distribution uses in the M-2 district may be land banked for future construction, for up to twenty-five

percent (25%) of the requirement, upon approval by the City Council, after receiving a recommendation from the Plan Commission, if the petitioner presents a study with quantifiable evidence based on comparable facilities that demonstrates:

- a. The number of parking spaces may be reduced without affecting the ability to adequately accommodate vehicles for employees, business-owned vehicles, vehicles for visitors, and all other vehicles necessary for the business, and provide adequate spaces during an overlap of employee shifts.
 - b. Land banked parking shall not cause a shortage of parking for other uses located in the area.
2. The petitioner shall submit a Land Bank Parking Plan to include the following:
- a. Depiction of the full number of parking spaces required for Manufacturing, Light & Heavy, and Warehouse/Distribution uses.
 - b. A detailed floor plan depicting the layout of all proposed and future manufacturing/warehouse areas.
 - c. Depiction of the interim use of the land banked area.
 - d. Acknowledgement that the land banked parking area shall satisfy all applicable sections of the City Code.
 - e. Acknowledgement that the associated stormwater management systems are designed and constructed to accommodate all land banked spaces.
3. Termination of the Land Bank. The approval of land banked parking spaces shall apply only to the specific business for which the study was conducted. The Director of Community Development or Building and Code Enforcement Division Manager shall have the right to require a property owner or business owner to construct land banked parking facilities if the intensity of use increases, if a new business occupies the building, or if a shortage of parking is identified on the property. The Director of Community Development or the Building and Code Enforcement Division Manager shall notify the property owner or operator of the business, in writing, that the land banked parking facilities shall be constructed within one hundred eighty (180) days from the date of said notice.”

SECTION THREE: That Chapter 17.24 entitled “Off-Street Parking, Loading & Access” is hereby amended by renumbering Sections 17.24.110 through 17.24.150 as Sections 17.24.120 through 17.24.160.

SECTION FOUR: That Section 17.20.030.U entitled “Outdoor Storage” in Chapter 17.20 entitled “Use Standards” is hereby amended by revising the references to Sections 17.24.110 and 17.24.120 to reference newly renumbered Sections 17.24.120 and 17.24.130.

SECTION FIVE: That Table 17.24-3 entitled “Required Off-Street Parking” in Chapter 17.24 entitled “Off-Street Parking, Loading & Access” is hereby amended by substituting the following rows within the table:

Manufacturing, Light & Heavy	See Section 17.24.110
Warehouse/Distribution	See Section 17.24.110

SECTION SIX: That Section 17.30.030 entitled “General Definitions” in Chapter 17.30 entitled “Definitions” is hereby amended by adding the following thereto:

“Land Banked Parking. Parking spaces required for compliance with the off-street parking requirements of this Title that are not initially constructed, pursuant to the provisions for land banked parking contained in Chapter 17.24. Land banked parking stalls shall be clearly indicated on all approved site, engineering, landscape, and building plans.”

SECTION SEVEN: 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.

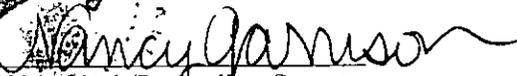
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of December, 2008.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of December, 2008.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties.
Illinois this 15th day of December, 2008.



Donald P. DeWitte, Mayor

Nancy Garrison
City Clerk/Recording Secretary

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

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

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 December 15, 2008, the Corporate Authorities of such municipality passed and approved Ordinance No. 2008-Z-36, entitled

"An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Regarding Off Street Parking Requirements for Manufacturing, Light & Heavy, and Warehouse/Distribution Uses in the M1 Special Manufacturing District and M2 Limited Manufacturing District,"

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

The pamphlet form of Ordinance No. 2008-Z-36, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 19, 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 15th day of December 2008.


Municipal Clerk

