

**City of St. Charles, Illinois**

**Ordinance No. 2011-Z-1**

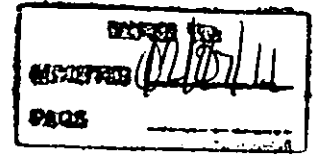
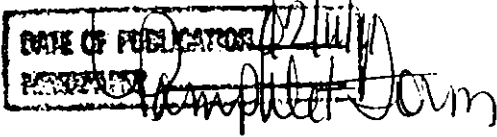
**Ordinance Amending Title 17 of the St. Charles  
Municipal Code Entitled "Zoning" Chapter 17.04  
Administration; Chapter 17.06 Design Review  
Standards and Guidelines; Chapter 17.12 Residential  
Districts; Chapter 17.14 Business and Mixed Use  
Districts; Chapter 17.16 Office Research,  
Manufacturing, and Public Land Districts; Chapter  
17.24 Off-Street Parking, Loading & Access; Chapter  
17.26 Landscaping and Screening; Chapter 17.30  
Definitions**

**Adopted by the  
City Council  
of the  
City of St. Charles  
February 7, 2011**

**Published in pamphlet form by  
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of the City of St. Charles,  
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Illinois, February 11, 2011**

*Nancy Garrison*  
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City Clerk





**City of St. Charles, IL  
Ordinance No. 2011-Z- 1**

**An Ordinance Amending Title 17 of the St. Charles Municipal Code  
Entitled “Zoning” Chapter 17.04 Administration; Chapter 17.06 Design Review  
Standards and Guidelines; Chapter 17.12 Residential Districts; Chapter 17.14  
Business and Mixed Use Districts; Chapter 17.16 Office Research,  
Manufacturing, and Public Land Districts; Chapter 17.24 Off-Street Parking,  
Loading & Access; Chapter 17.26 Landscaping and Screening;  
Chapter 17.30 Definitions**

WHEREAS, on or about October 29, 2010, The City of St. Charles (“the Applicant”) filed a petition to amend the Zoning Ordinance of the City of St. Charles regarding a number of corrections and changes to existing requirements; and,

WHEREAS, Notice of Public Hearing on said petition was published on or about November 19, 2010, 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 December 7, 2010 and January 4, 2011 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 January 4, 2011; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the petition on or about January 10, 2011; 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 1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

SECTION 2. That Chapter 17.04 “Administration” Section 17.04.100 “General Procedures for Applications” is hereby amended by adding subsection “F. Dismissal of Dormant Applications” as follows:

**“F. Dismissal of Dormant Applications**

The Director of Community Development may dismiss any application submitted under this Title if: the application is incomplete and the applicant has been notified of deficiencies and has not responded or provided a timeline for completing the application within six months from the time of notification, or the applicant has not responded in writing to a request for information or documentation within six months from the date of the request, including a request for a deposit for the reimbursement of costs and fees. The Director of Community Development shall notify the applicant in writing of the intent to dismiss the application at a date one month from the date of the written notice.

SECTION 3. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.010 “How to Use This Chapter” is hereby amended by adding the Heading “A. Standards and Guidelines”

SECTION 4. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.010 “How to Use This Chapter” is hereby amended by adding the following:

**“B. Applicability of Building Design and Material Standards to Existing Buildings**

Existing buildings that do not comply with the building design or building materials standards of this Chapter shall comply with the following standards:

1. Building alterations or additions constructed primarily at the side or rear of a building may be constructed with the same design and materials as the remainder of the building, provided an addition does not exceed 50% of the gross floor area of the existing building.
2. Any building additions to, or reconstruction of, street-facing building elevations shall comply with this Chapter to the extent practical to achieve a cohesive architectural design for the building. The Director of Community Development may grant exceptions where an applicant can demonstrate that conformance would be incongruous with the architecture of the building or would be impractical to construct (for example, re-facing a building façade with masonry material where no foundation exists to support the masonry).”

SECTION 5. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.030 “Standards and Guidelines – BL, BC, BR, & OR Districts” “Subsection A. Articulation of Building Facades” item “iv.” is hereby deleted in its entirety and replaced by the following:

“iv. columns or pilasters, projecting 6 inches or more from the wall plane ”

SECTION 6. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.030 “Standards and Guidelines – BL, BC, BR, & OR Districts” “Subsection D. Roof Design” is hereby amended by deleting Subsection 1 and replacing it with the following:

“HVAC equipment and similar appurtenances shall be located and/or screened in conformance with Section 17.26.120.”

SECTION 7. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.030 “Standards and Guidelines – BL, BC, BR, & OR Districts” “Subsection D. Roof Design” Subsection “Guidelines” is hereby amended by adding the following:

“6. Primary colors, high-intensity colors, metallic or fluorescent colors should not be used as predominant roof colors.”

SECTION 8. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.030 “Standards and Guidelines – BL, BC, BR, & OR Districts” Subsection “E. Building Materials” is hereby deleted in its entirety and replaced by the following:

**“E. Building Materials**

Intent: Buildings should be constructed of quality materials that reduce maintenance costs over the life of the building, relate to traditional building materials used historically in Kane County, and reinforce the character of the community.

Standards:

Approved and prohibited building materials in the BL, BC, BR, and O-R districts are:

1. Approved Materials

- a. Brick
- b. Architectural metal (such as for window and door framing) and metal composite panels
- c. Natural or architectural cast stone
- d. Tinted and/or textured concrete masonry units
- e. Stucco, installed without the use of Exterior Insulated Finishing Systems (EIFS)
- f. Tilt-up concrete panels designed with a brick veneer or other architectural design
- g. Non-reflective glass
- h. Cedar or equivalent wood or fiber-cement siding and trim when consistent with the architectural style of the building
- i. Other materials as approved by the City Council or Historic Preservation Commission

2. Prohibited Materials

- a. Smooth-faced concrete masonry units
- b. Painted masonry units
- c. Exterior Insulated Finishing Systems (EIFS) comprised of polystyrene foam panels, regardless of base or finish coat or treatment, located less than ten feet (10’) above grade, or over more than ten percent (10%) of any building wall

- d. Vinyl siding
  - e. Pre-fabricated steel panels of the type used in farm, storage, and industrial buildings
  - f. Plain tilt-up concrete panels
3. Uniform Materials

Use of uniform exterior building materials shall be required on all facades. For example, if the front wall contains a mixture of brick and concrete masonry units, the side and rear walls shall contain the same materials in approximately the same proportions.”

SECTION 9. That Chapter 17.06 “Design Review Standards and Guidelines” Section 17.06.050 “Standards and Guidelines – RM1, RM2 and RM3 Districts” Subsection “F. Building Materials” is hereby deleted in its entirety and replaced by the following:

**“F. Building Materials**

**Intent:** Buildings should be constructed of quality materials that reduce maintenance costs over the life of the building, relate to traditional building materials used historically in Kane County, and reinforce the character of the community.

**Standards:** Permitted and prohibited building materials in the RM-1, RM-2 and RM-3 Districts are:

**1. Approved Materials**

Approved materials for exterior use in the construction of new multiple-family and townhouse developments in St. Charles are as follows:

- a. Modular-sized clay brick
- b. Cedar or equivalent wood, or fiber-cement, horizontal siding
- c. Stucco, installed without the use of Exterior Insulated Finishing Systems (EIFS)
- d. Terra cotta or similar glazed masonry units
- e. Architectural metal (such as for window and door framing)
- f. Natural or architectural cast stone
- g. Trim, frieze boards, soffit and fascia boards may be of wood, molded polymer, copper, or fiber cement material; aluminum or vinyl material may be used for soffit and fascia boards only
- h. Architectural concrete masonry units for a foundation course only
- i. Standing seam metal roofing
- j. Slate or tile roofing
- k. Wood shake shingles
- l. Architectural grade asphalt and fiberglass shingles for roofs
- m. Individual glass windows in wood, aluminum or vinyl covered wood frames with true divided lights (i.e. no false appliqué mullions)
- n. Glass block for accenting purposes (glass block walls are not included in this category)
- o. Other materials as approved by the City Council or Historic Preservation Commission

## 2. Prohibited Materials

Prohibited materials for exterior use in the construction of new multiple-family and townhouse developments in St. Charles are as follows:

- a. Smooth-faced or textured concrete masonry units (CMU)
- b. King-size or jumbo brick
- c. Exposed aggregate (rough finish) concrete wall panels
- d. Tilt-up concrete panels
- e. Exterior Insulated Finishing Systems (EIFS) comprised of polystyrene foam panels, regardless of base or finish coat or treatment, located less than ten feet (10') above grade, or over more than ten percent (10%) of any building wall.
- f. Plywood, composite plywood or masonite sidings (T-111)
- g. Panel brick or thinset stone veneers
- h. Plastic
- i. Reflective glass
- j. Pre-fabricated steel panels of the type used in farm, storage and industrial buildings
- k. Vinyl or aluminum horizontal siding

## 3. Uniform Materials

Use of uniform exterior building materials shall be required on all facades. For example, if the front wall contains a mixture of brick and wood, the side and rear walls shall contain the same materials in approximately the same proportions.

SECTION 10. That Chapter 17.12 "Residential Districts" Section 17.12.050 "Special Standards for the BT Transitional Business Overlay" is hereby deleted in its entirety and replaced by the following:

"17.12.050 Special Standards for the BT Transitional Business Overlay

In addition to the requirements of the underlying zoning districts, all of the following limitations and conditions shall apply:

- The Transitional Business Overlay is permitted only on lots that abut one or more non-residential uses, or that are directly across a street from one or more non-residential uses.
- Parking shall be in accordance with the Special Requirements for the BT Overlay set forth in Chapter 17.24."

SECTION 11. That Chapter 17.12 "Residential Districts" Table 17.12-2 "Residential District Bulk Requirements" is hereby amended as follows:

See Exhibit A

SECTION 12. That Chapter 17.14 "Business and Mixed Use Districts" Table 17.14-2 "Business and Mixed Use District Bulk Regulations" is hereby amended as follows:

See Exhibit B

SECTION 13. That Chapter 17.16 “Office Research, Manufacturing, and Public Land Districts” Table 17.16-2 “Office Research, Manufacturing, and Public Lands Bulk Regulations” is hereby amended as follows:

See Exhibit C

SECTION 14. That Chapter 17.22 “General Provisions” Section 17.22.020 “Accessory Buildings and Structures” Subsection A. “General Requirement” item 2. is hereby deleted in its entirety and replaced by the following:

“2. The combined lot coverage of all detached accessory buildings and structures located within a required rear yard shall not occupy more than thirty percent (30%) of the required rear yard. For lots within an RT district, lot coverage for a detached garage structure may exceed thirty percent (30%) of the required rear yard to accommodate a 600 square foot detached garage structure, provided all structures in the rear yard do not occupy more than 40% of the required rear yard.”

SECTION 15. That Chapter 17.24 “Off-Street Parking, Loading & Access” Section 17.24.060 “Location of Off-Street Parking” Subsection C. is hereby deleted in its entirety and replaced by the following:

“C. Where required accessory parking facilities are provided on a separate lot, the owner of the lot containing the building or use shall demonstrate the right to maintain and use such parking by providing to the Director of Community Development documentation of a recorded permanent easement or other recorded instrument demonstrating the right to use the required number of parking spaces on the lot containing the parking. Documentation shall be provided when there is a change in use and/or intensity of use, as defined in 17.24.010, including when a new use is established or a building is constructed or expanded.”

SECTION 16. That Chapter 17.24 “Off-Street Parking, Loading & Access” Section 17.24.080 “Parking Exemptions for the DBD-1 and CBD -2” is hereby deleted in its entirety and replaced by the following:

**“17.24.080 Special Standards for CBD-1, CBD-2 and BT Overlay Districts**

**A. Parking Exemption in CBD-1 and CBD-2 Districts:**

All uses allowed in the CBD-1 and CBD-2 Districts, except for Public Service Facilities, Motor Vehicle Rental, and Drive-through Facilities shall be exempt from the requirement to provide off-street parking spaces, but only when all of the following conditions are satisfied:

1. The lot is located within a Special Service Area, the purpose of which is to provide and maintain downtown off-street parking (including but not limited to SSA 1-A), and within a Special Service Area, the purpose of which is downtown revitalization (including but not limited to SSA-1B).

2. Any non-residential use is located within five hundred (500) feet walking distance of a parking lot or structure having spaces available for use by the general public during the business hours of the use served. Any residential use is located within two hundred (200) feet walking distance of a parking lot or structure having spaces available for overnight parking.
3. Existing off-street parking spaces on the lot shall not be eliminated unless a) the same number of private, off-street spaces are constructed elsewhere by the property owner, within the distance specified in 17.24.080 (A)(2) or b) the City Council determines that, based upon a parking study approved by the City Engineer, adequate public parking is available within the required distance to serve the use.

If any of the preceding conditions cannot be satisfied, off-street parking spaces shall be required for the proposed uses in accordance with Section 17.24.130 (Off-street Parking Requirements).

**B. Credit for on-street parking spaces in CBD-1 and CBD-2 Districts**

Within the CBD-1 and CBD-2 Districts, on-street parking spaces located within three hundred (300) feet of the use may be credited to meet up to twenty-five percent (25%) of the requirement for off-street parking for non-residential uses.

**C. Additional requirements for off-street parking facilities in the BT Overlay District**

1. Parking spaces shall be provided to satisfy the minimum requirements for both residential and non-residential uses.
2. Parking spaces for non-residential uses shall not be located within the front yard or exterior side yard.
3. Parking lots shall not be illuminated later than 10:00 p.m.
4. Vehicular ingress-egress shall be from minor streets wherever possible, rather than from main thoroughfares.
5. The number of curb cuts shall be limited to the existing number of curb cuts on the lot. Additional curb cuts shall not be permitted for residential conversions of existing buildings into non-residential uses.”

SECTION 17. That Chapter 17.24 “Off-Street Parking, Loading & Access” Table 17.24-3 entitled “Required Off-Street Parking” is hereby amended by adding the Restaurant Carry-Out Only Parking category:

See Exhibit D

SECTION 18. That Chapter 17.26 “Landscaping & Screening” Section 17.26.020 “Landscape Plan Improvements” Subsection “C” is hereby deleted in its entirety and replaced with the following:

“A Landscape Plan shall be required as part of Design Review (Section 17.04.230) and for PUD Preliminary Plans and PUD Final Plans. If a Landscape Plan submitted at the time of building permit for a lot within a Planned Unit Development does not substantially conform to the approved Landscape Plans, it shall be submitted to the City Council as a change to the PUD Preliminary Plan, and shall be reviewed as provided in Section 17.04.430.”



SECTION 19. That Chapter 17.26 “Landscaping & Screening” Section 17.26.030 “General Design Principles and Standards” is hereby amended by the addition of Subsection K “Parking Lot Landscape Islands” as follows:

**“K. Parking Lot Landscape Islands**

Landscape islands shall be a minimum of eight (8) feet in width and a minimum of 160 square feet in area, their surface shall be at least six (6) inches above the surface of the parking lot and shall be crowned to allow for positive drainage, and shall be protected with concrete curbing, except in the case of a bioswale design. Bioswales, which are continuous, planting beds designed for the conveyance, absorption, or filtration of stormwater runoff, may be provided as an alternative design to conventional planting islands. Landscape islands shall be planted with a variety of shade trees, ornamental trees, shrubbery, grasses and perennials, ground cover and other plant materials.”

SECTION 20. That Chapter 17.26 “Landscaping & Screening” Section 17.26.040 “Selection and Installation of Plant Material” Subsection “F Planting Beds” is hereby deleted in its entirety and replaced by the following:

**“F. Planting Beds**

Unless otherwise specified, planting beds shall be mulched with shredded hardwood mulch. Mulch shall not be used as a substitute for plant materials.”

SECTION 21. That Chapter 17.26 “Landscaping & Screening” Section 17.26.060 “General Landscaping Requirement” is hereby deleted in its entirety and replaced by the following:

**“17.26.060 General Landscaping Requirement**

The minimum percentage of a lot or parcel that is landscaped shall be:

- a) 20% for a lot or parcel with on-site stormwater storage
- b) 15% for a lot or parcel with off-site stormwater storage
- c) No minimum for a lot or parcel in the CBD-1 Zoning District

If the total landscaped area resulting from the requirements of subsequent Sections of this Chapter is less than the percentage required by this Section, additional landscaped area shall be provided to meet the minimum requirement of this Section.

Landscaping to meet this requirement may include any combination of the following:

- a) Live plant materials such as trees, shrubs, herbaceous perennials, ground cover, turf grass, and annual plantings;
- b) Decorative surfaces such as pavers, flagstone, boulders, etc.;
- c) Stormwater detention and retention basins, including planting areas and water surface, but not including retaining walls more than three feet (3') in height;
- d) Displays of public art, pedestrian plazas, walkways and seating areas open to the general public or to employees and patrons; and
- e) Play surfaces such as ball fields, baseball diamonds, tennis courts and other sport courts that are available for use by the general public.

Paving for vehicular access, concrete sidewalks, and curbing shall not be counted as landscaped area, except that systems designed to integrate a drivable surface with turf grass or other plant growth may be counted as landscaped area, where they are provided for emergency access routes.”

SECTION 22. That Chapter 17.26 “Landscaping & Screening” Section 17.26.070 “Landscape Buffers” Subsection “F” is hereby deleted in its entirety, and Chapter 17.26 “Landscaping & Screening” Section 17.26.070 “Landscape Buffers” Subsection “G” will now be titled Subsection “F”

SECTION 23. That Chapter 17.26 “Landscaping & Screening” Section 17.26.080 “Building Foundation Landscaping” is hereby deleted in its entirety and replaced by the following:

**“17.26.080 Building Foundation Landscaping**

**A. General Requirements**

Building foundation landscaping shall be provided around the perimeter of all new non-residential and multi-family residential buildings. In the CBD-1 and CBD-2 Districts, foundation landscaping shall only be required in a setback of 5 feet or more from the building wall to the right-of-way or property line.

**B. Guidelines for Location and Design**

1. Building foundation landscaping shall include a range of sizes and types of plants, which relate to the size of the building. Consideration should be given to including shade trees, ornamental trees, evergreens, shrubs, decorative grasses, perennials, ground cover, and flowers, in a coordinated design.
2. Building foundation landscaping shall be continuous, except where walkways, driveways, or loading areas provide access to the building.
3. Building foundation landscaping planting beds shall be located immediately adjoining the building wall or, where the intervening space is designed for pedestrian use, the interior side of the planting bed shall be not more than sixteen (16) feet from the nearest building wall.
4. Turf grass shall not be counted as part of the required building foundation landscaping.

**C. Requirements for Building Foundation Landscaping**

1. The amount of plants required shall be calculated by dividing the total lineal feet of the building’s walls by fifty (50). A combination of the following landscape materials shall be required per every fifty (50) lineal feet of building wall:
  - a. Any combination of two (2) shade, ornamental, or evergreen trees.
  - b. Any combination of twenty (20) shrubs, bushes, and perennials. Ground covers, annuals, and turf grasses shall not count towards fulfilling this requirement.
2. Not less than seventy-five percent (75%) of the horizontal dimension of the front wall of the building shall be landscaped. The front wall shall be considered the wall on which the primary public entrance to the building is located.
3. Not less than fifty percent (50%) of the total horizontal dimension of the remaining building walls shall be landscaped. The landscaping may be distributed among all non-front building walls.

4. The minimum width of planting beds for building foundation landscaping shall be eight feet (8'), measured perpendicular to the building, unless otherwise specified as follows:
  - a. CBD-1 and CBD-2 Districts: No minimum width
  - b. BL and BT districts: Five (5) feet
5. Special Requirements for the M-1 and M-2 Districts  
Within the M-1 and M-2 Districts, building foundation landscaping as required in the preceding sections 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:
  - a. Where off-street parking or loading areas abut a building wall, building foundation landscaping shall not be required.
  - b. 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. (Ord. 2008-Z-29 § 2.)”

SECTION 24. That Chapter 17.26 “Landscaping & Screening” Section 17.26.090 “Parking Lot Landscaping” is hereby deleted in its entirety and replaced by the following:

**17.26.090 Public Street Frontage and Parking Lot Landscaping**

**A. Public Street Frontage Landscaping**

1. General Requirements

Landscaping is required in the front and exterior side yard adjoining a public street right-of-way in the RM-1, RM-2, RM-3, BL, BC, BR, OR, M-1 and M-2 zoning districts.

2. Guidelines for Location and Design

- a. Shade trees, ornamental trees, evergreen trees, ornamental and evergreen shrubs, perennials, decorative walls, fencing, and berming shall be placed in naturally appearing groupings as opposed to distributed in a linear fashion. These groupings shall be placed strategically to accentuate the development’s architecture or other significant features while concealing mechanical or other physical structures that do not add to the aesthetic value of the site. The groupings shall also be designed to create visual interest by varying the heights and widths of plant materials.
- b. Types of plants chosen should be salt and drought tolerant.
- c. Types of plants and plant groupings should provide four-season color and variety in texture and shape.

3. Required Landscape Materials

- a. One shade tree is required per every 40 lineal feet of public street frontage. Trees shall not be placed at intervals less than 30 feet on center.
- b. Two ornamental or evergreen trees, or any combination thereof, shall be required per ever 40 lineal feet of public street frontage.
- c. No less than 75% of the public street frontage as measured horizontally along the lot lines abutting the street shall be planted with a combination of ornamental shrubs, evergreen shrubs, and perennials. If a minimum of 50% of the street frontage is supplemented with decorative walls, ornamental fencing, or sculptured berming, then the requirement shall be reduced to 40%, provided the landscaping is designed to enhance the aesthetics of the wall, fence or berm provided.

## **B. Screening of Parking Lots, Motor Vehicle Displays, and Drive-Throughs**

### **1. Screening from Public Streets**

Parking lots with more than five spaces, a Motor Vehicle Display, or a Drive-Through facility abutting a public street shall be screened to a minimum height of thirty inches (30") for no less than 50% of public street frontage measured horizontally along the lot line abutting the street and adjoining the parking lot, Motor Vehicle Display, or Drive- Through facility, except where driveways and walkways generally perpendicular to the street are located. Screening shall be designed to soften and partially conceal the view of vehicles in parking or stacking spaces from the street.

### **2. Screening of Residential Parking Lots adjoining other Residential Uses**

Parking lots of more than 5 spaces located on a residential lot that adjoins a residential use on a separate lot shall be screened in accordance with the requirements of Section 17.26.070 Landscape Buffers, regardless of whether a Landscape Bufferyard is required.

## **C. Interior Parking Lot Landscaping**

### **1. General Requirement for all Parking Lots**

All interior rows of parking shall be terminated by a landscape island or other landscaped area, except that this requirement may be waived for islands that would obstruct an accessible route (as defined in the Illinois Accessibility Code) from handicap parking spaces to the building.

### **2. Parking Lots Containing Twenty (20) or More Parking Spaces**

#### **a. General Requirements**

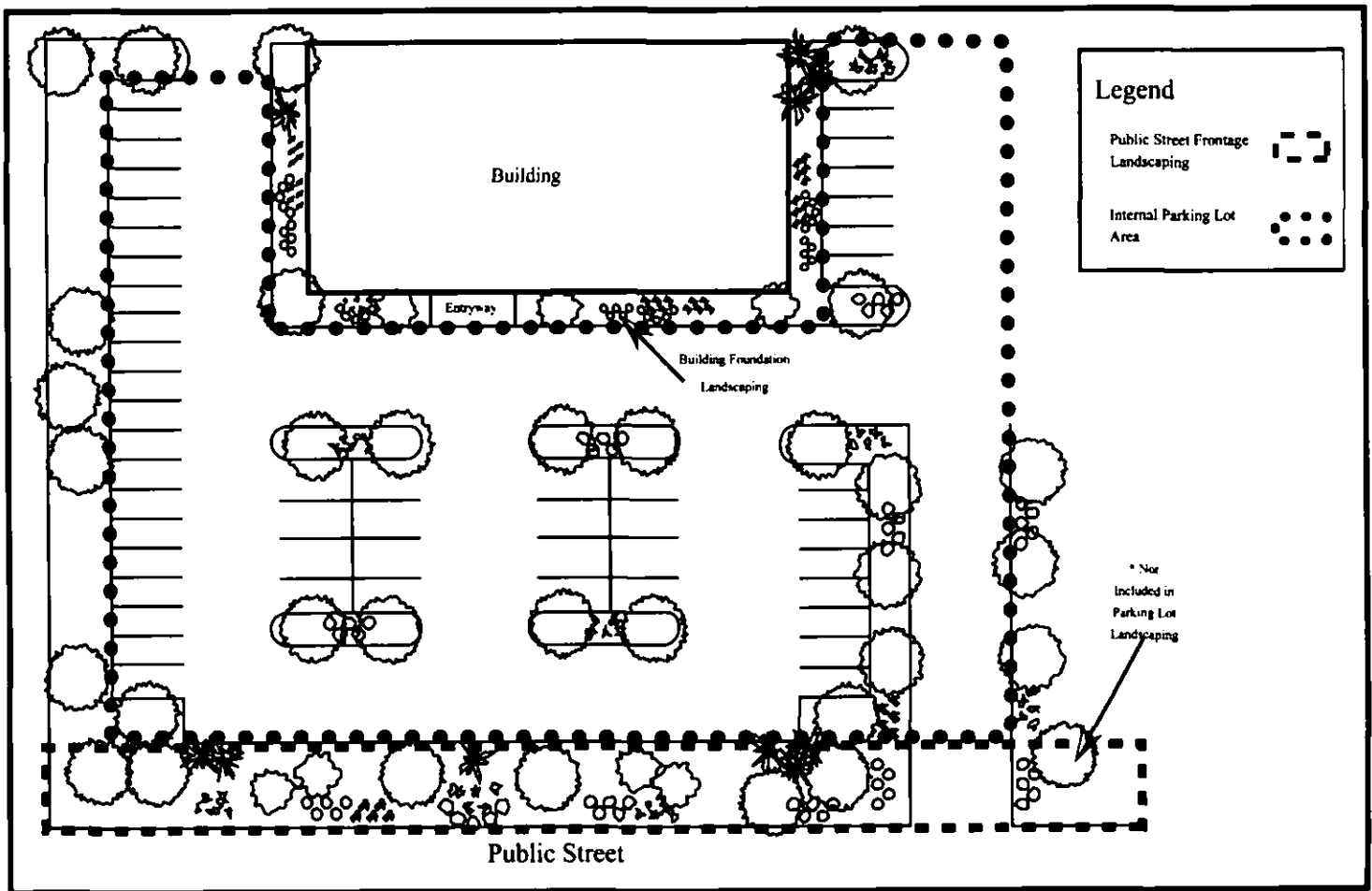
A minimum of ten percent (10%) of the interior area of the parking lot shall be devoted to landscaping. The "interior area" of a parking lot means the area within a perimeter bounded by the backs-of-curbs (or edge of pavement where curbs are not used) encompassing the outer limits of the parking spaces and circulation drives. Landscape islands extending into the parking lot from its edges may count toward the 10% minimum requirement. Landscaping located outside of the interior area of the parking lot shall not count toward the 10% minimum interior landscape requirement, nor is it used in calculating the interior area of the parking lot.

b. Guidelines for Location and Design

Landscape islands shall be distributed throughout the interior area of the parking lot to provide shade and enhance the visual appeal of the site. In general, the maximum distance between landscape islands should be approximately 60 to 100 feet.

c. Required Landscape Materials

The minimum number of shade trees required for interior parking lot landscaping shall be the product of dividing the total area of required interior parking lot landscaping, in square feet, by 160. These trees shall be located primarily within the interior of the parking lot, and may be evenly spaced or grouped, depending on their growth characteristics and the desired design effect.



SECTION 25. That Chapter 17.26 “Landscaping & Screening” Section 17.26.120 “Additional Screening Requirements” Subsection D “Screening of Mechanical Equipment” is hereby deleted in its entirety and replaced by the following:

**D. Screening of Mechanical Equipment**

**1. Ground-Mounted Equipment**

- a. In accordance with the provisions of Table 17.22-3 (Permitted Encroachments), where it is impractical to locate ground-mounted HVAC and other mechanical equipment within the rear or interior side yard of a single-family or two-family dwelling, the Building Commissioner may approve an alternative location if the mechanical equipment is screened with landscaping, hedges, berming, walls and/or fencing so as not to be visible from any public street or adjoining lot when viewed from an observation height of five feet above grade.
- b. For multi-family residential and non-residential buildings, ground-mounted mechanical equipment, such as HVAC units, refrigeration units, and pool equipment is discouraged. Wherever possible, this equipment should be contained within the building or roof-mounted. Where the nature of the mechanical equipment or the design of the building precludes its location within the building or on the roof, it shall be screened from view from public streets and adjoining residential dwellings by landscaping, berming, walls and/or fencing. Color and texture of any screening wall or fence shall be compatible with the color and texture of the primary buildings on the site.

**2. Building or Roof-Mounted Equipment**

- a. All newly installed or enlarged mechanical equipment, such as HVAC units, refrigeration units, and pool equipment located on the roof of any structure in any zoning district shall be screened from view from public streets and adjoining residential dwellings by its location on the roof (away from the parapet), by an architectural element of the building (e.g. a parapet), by a screening wall that is compatible with materials of the building, or a combination thereof. Where the majority of an individual unit of equipment is screened by its location, a parapet wall, and/or the building architecture, and where installation of a screening wall would increase the visual mass of the equipment, a screening wall may not be required, provided the unit is painted to blend with the building.
- b. For existing buildings with roof-mounted equipment lacking screening, equipment may be replaced or added without additional screening, provided the equipment has been located in the most unobtrusive location available on the roof. Where possible, new equipment shall be grouped with existing equipment in an organized manner that is consistent with the architecture of the building.

SECTION 26. That Chapter 17.30 “Definitions” Section 17.30.020 “Use Definitions” the definition for “Adult Uses” Subsection A “Adult Bookstore” is hereby deleted in its entirety and replaced by the following:

**“A. Adult Bookstore.** An establishment having at least twenty-five percent (25%) of its sales or display area devoted to books, magazines, films and/or videos for sale or rent, or other media or publications which are distinguished or characterized by their emphasis on matter

depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, or an establishment with a segment or section devoted to the sale or display of such materials, or an establishment that holds itself out to the public as a purveyor of such materials based upon its signage, advertising, displays, actual sales, presence of video preview or coin-operated booths, exclusion of minors from the establishment's premises or any other factors showing the establishment's primary purpose is to purvey such material."

SECTION 27. That Chapter 17.30 "Definitions" Section 17.30.020 "Use Definitions" the definition for "Adult Uses" Subsection D "Adult Novelty Store" is hereby deleted in its entirety and replaced by the following:

**"D. Adult Novelty Store.** An establishment having at least twenty-five percent (25%) of its sales or stock in trade consisting of toys, devices, clothing novelties, lotions and other items distinguished or characterized by their emphasis on or use for Specified Sexual Activities or Specified Anatomical Areas, or an establishment that holds itself out to the public as a purveyor of such materials based upon its signage, advertising, displays, actual sales, exclusion of minors from the establishment's premises or any other factors showing the establishment's primary purpose is to purvey such material."

SECTION 28. That Chapter 17.30 "Definitions" Section 17.30.020 "Use Definitions" the definition for "Adult Uses" Subsection E "Specified Anatomical Areas" is hereby deleted in its entirety and replaced by the following:

**"E. Specified Anatomical Areas.** For the purposes of this Title, Specified Anatomical Areas means: 1) less than completely and opaquely covered human genitals, pubic region, buttocks or female breasts below a point immediately above the top of the areola; and 2) human genitals in a discernable turgid state, even if completely and opaquely covered."

SECTION 29. That Chapter 17.30 "Definitions" Section 17.30.020 "Use Definitions" the definition for "Restaurant" is hereby deleted in its entirety and replaced by the following:

**"Restaurant (G).** An establishment in which the primary activity is prepared food service, provided for consumption on the premises or for carry-out. Live entertainment is permitted as an accessory use within completely enclosed areas; and outdoor dining, including service to patrons seated outdoors, is permitted as an accessory use on the premises. This use is distinct from a Tavern/Bar where the primary purpose is the sale of alcoholic beverages, or snack bars or refreshment stands that are accessory to recreational or amusement facilities. For restaurants with drive-through windows, see Drive-Through Facility; for restaurants with outdoor live entertainment, see Outdoor Entertainment."

SECTION 30. That Chapter 17.30 "Definitions" Section 17.30.020 "Use Definitions" the definition for "**Restaurant, Carry-Out Only**" is hereby added and states the following:

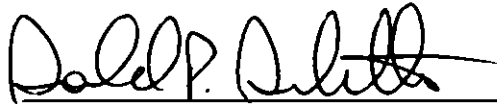
**"Restaurant, Carry-Out Only.** A restaurant establishment in which the primary activity is prepared food service provided for carry-out or delivery only, and no food is consumed on the premises."

SECTION 31. 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 7th day of February 2011.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 7th day of February 2011.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 7th day of February 2011.



Donald P. DeWitte, Mayor

Attest:

  
City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes: 9

Nays:

Absent: 1

Abstain:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_



# Exhibit A

**TABLE 17.12-2  
RESIDENTIAL DISTRICT BULK REQUIREMENTS**

ft = feet sf = square feet du = dwelling unit	ZONING DISTRICT					
	RE-1	RE-2	RS-1	RS-2	RS-3	RS-4
Minimum Lot Area	1 ¼ acres (54,450 sf)	25,000 sf	18,000 sf	11,000 sf	8,400 sf	6,600 sf
Minimum Lot Width	250 ft	125 ft	100 ft	80 ft	60 ft	60 ft
Maximum Building Coverage	20%	20%	20%	25%	30%	30%
Maximum Building Height	40 ft or 2 ½ stories, whichever is less	40 ft or 2 ½ stories, whichever is less	35 ft or 2 ½ stories, whichever is less	35 ft or 2 stories, whichever is less	35 ft or 2 stories, whichever is less	34 ft or 2 stories, whichever is less
Minimum Front Yard <sup>1</sup>	40 ft	40 ft	40 ft	30 ft	30 ft	20 ft
Minimum Side Yards						
Interior Side Yards	20 ft each side	15 ft each side	10 ft each side	Combined width of 16 ft, neither less than 6 ft	Combined width of 16 ft, neither less than 6 ft	Combined width of 14 ft, neither less than 5 ft
Exterior Side Yard <sup>2</sup>	40 ft	40 ft	40 ft	30 ft	25 ft	20 ft
Minimum Rear Yard	50 ft	50 ft	50 ft	40 ft	40 ft	30 ft

<sup>1</sup> Where 50% or more of the street frontage of a block has existing principal building setbacks less than the front yard or exterior side yard required by the zoning district, the required front yard or exterior side yard may be reduced to the average of the existing front or exterior side yard setbacks on that street frontage of the block. Only front yard setbacks shall be used to compute the reduced front yard setback; only exterior side yard setbacks shall be used to compute the reduced exterior side yard setback.

<sup>2</sup> If a corner lot has insufficient width to provide the required exterior side yard and still maintain a buildable width of thirty-two feet, then the exterior side yard may be reduced so as to provide a buildable width of thirty two feet; provided that in no event shall the exterior side yard be reduced to less than thirty percent of the width of the lot.

