

**City of St. Charles, Illinois**

**Ordinance No. 2011-Z-11**

**Ordinance Amending Title 17 of the St. Charles  
Municipal Code Entitled "Zoning" Chapter 17.14  
Business and Mixed Use Districts; Chapter 17.16 Office  
Research, Manufacturing, and Public Land Districts;  
Chapter 17.22 General Provisions (Wind Turbines)**

**Adopted by the  
City Council  
of the  
City of St. Charles  
July 18, 2011**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, July 22, 2011**

  
City Clerk



CITY OF ST. CHARLES  
07/22/11  
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07/18/11  
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**City of St. Charles, IL**  
**Ordinance No. 2011-Z-11**

**An Ordinance Amending Title 17 of the St. Charles Municipal Code**  
**Entitled "Zoning" Chapter 17.14 Business and Mixed Use Districts; Chapter**  
**17.16 Office Research, Manufacturing, and Public Land Districts; Chapter**  
**17.22 General Provisions**  
**(Wind Turbines)**

WHEREAS, on or about May 17, 2011, The St. Charles Park District ("the Applicant") filed a petition to amend the Zoning Ordinance of the City of St. Charles regarding the installation of wind turbine devices; and,

WHEREAS, Notice of Public Hearing on said petition was published on or about May 20, 2011, 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 June 7, 2011 and June 21, 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 June 21, 2011; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the petition on or about July 11, 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 17.14 "Business and Mixed Use Districts" Table 17.14-1 "Business and Mixed Use District Permitted and Special Uses" is hereby amended by adding the following Other uses at the end of Table 17.14-1:

See Exhibit A

SECTION 3. That Chapter 17.16 “Office Research, Manufacturing, and Public Land Districts” Table 17.16-2 “Office Research, Manufacturing, and Public Lands Permitted and Special Uses” is hereby amended by adding the following Other uses at the end of Table 17.16-1:

See Exhibit B

SECTION 4. That Chapter 17.22 “General Provisions” Section 17.22.020 “Accessory Buildings and Structures” is hereby amended by adding Subsections G. Wind Energy Turbine, Tower Mounted and H. Wind Energy Turbine, Structure Mounted as follows:

“

- G. Wind Energy Turbine, Tower Mounted (WET-TM)
1. WET-TMs shall only be located on lots that are one (1)-acre in area or greater.
  2. There shall be no more than three (3) WET-TMs per lot.
  3. Only free-standing monopole towers without guy wires shall be permitted.
  4. Towers shall be set back from all property lines by a minimum distance of one hundred percent (100%) of the height of the tower, plus ten (10) feet, and shall be set back from any residential district a minimum distance of five hundred (500) feet. All setbacks shall be measured from the base of the tower to the property line or street right-of-way.
  5. The total height of the WET-TM shall not exceed 120 feet. Tower height shall be measured as the vertical distance from the ground level of the base of a WET-TM to the uppermost vertical extension of a rotor blade, or the maximum height reached by any part of a WET-TM.
  6. WET-TMs shall not be artificially illuminated unless required by the FAA.
  7. All exposed surfaces and supports of the WET-TM shall be kept clean and painted. The Building Commissioner may require repair or removal of towers that are damaged, deteriorated or no longer in use.
  8. Sound generated by the WET-TM shall not be audible at the property line.
- H. Wind Energy Turbine, Structure Mounted (WET-SM)
1. WET-SMs shall only be permitted as accessory to an existing principal building or use.
  2. WET-SMs shall be mounted onto existing principal or accessory structures.
  3. Any sound generated by the WET-SM shall not be audible at the property line.
  4. WET-SMs shall not exceed a height of fifteen (15) feet above the highest point of the structure it is mounted upon.”

SECTION 3. That Chapter 17.30 “Definitions” Section 17.30.020 “Use Definitions” is hereby amended by adding the following definitions:

**“Wind Energy Turbine, Tower Mounted (WET-TM):** A wind energy system that converts wind energy into electricity through the use of equipment (wind turbine, a tower

or post, and associated control or conversion electronics). WET-TMs have nameplate capacities that do not exceed ten (10) kilowatts and are intended to primarily reduce on-site consumption of utility power. For the purpose of this title WET-TM shall include both horizontal and vertical axis turbines.

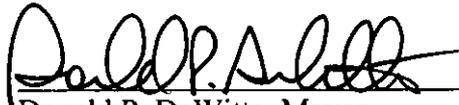
**Wind Energy Turbine, Structure Mounted (WET-SM):** A wind energy system that converts wind energy into electricity through the use of equipment (wind turbine, a tower, and associated control or conversion electronics). WET-SMs have nameplate capacities that do not exceed two (2) kilowatts and are intended to primarily reduce on-site consumption of utility power. For the purpose of this title WET-SM shall include both horizontal and vertical axis turbines.”

SECTION 4. 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 July 2011.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of July 2011.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of July 2011.

  
\_\_\_\_\_  
Donald P. DeWitte, Mayor

Attest:

  
\_\_\_\_\_  
City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes: 8  
Nays: 0  
Absent: 2  
Abstain:

APPROVED AS TO FORM:

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

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



# Exhibit A

TABLE 17.14-1 PERMITTED AND SPECIAL USES								
P=Permitted Use S=Special Use A=Permitted Accessory Use SA=Special Use, Accessory Only	ZONING DISTRICT						SPECIFIC USE STANDARDS	
	BL	BC	BR	CBD-1	DOWNTOWN OVERLAY FIRST FLOOR			CBD-2
					CBD1	CBD2		
<b>OTHER USES</b>								
Wind Turbine, Tower Mounted		S	S					Section 17.22.020.G
Wind Turbine, Structure Mounted	A	A	A					Section 17.22.020.H

# Exhibit B

<b>TABLE 17.16-1</b> <b>OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LANDS</b> <b>PERMITTED AND SPECIAL USES</b>					
P=Permitted Use S=Special Use A=Permitted Accessory Use SA=Special Use, Accessory Only	ZONING DISTRICT				SPECIFIC USE STANDARDS
	O-R	M-1	M-2	PL	
<b>OTHER</b>					
Wind Turbine, Tower Mounted	S	S	P	P	Section 17.22.020.G
Wind Turbine, Structure Mounted	A	A	A	A	Section 17.22.020.H

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 July 18, 2011, the Corporate Authorities of such municipality passed and approved Ordinance No. 2011-Z-11, entitled

"Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Chapter 17.14 Business and Mixed Use Districts; Chapter 17.16 Office Research, Manufacturing, and Public Land Districts; Chapter 17.22 General Provisions (Wind Turbines),"

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

The pamphlet form of Ordinance No. 2011-Z-11, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 22, 2011, 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 July 2011.



*Nancy Garrison*  
Municipal Clerk