

**City of St. Charles, Illinois**

**Ordinance No. 2012-Z-5**

**Ordinance Amending Title 17 of the St. Charles  
Municipal Code Entitled "Zoning" Section 17.04.430.C  
"Authorized Administrative Changes," Table 17.14-2,  
"Business and Mixed-Use Districts - Bulk Regulations,"  
Section 17.22.020.A "General Requirements," Section  
17.22.020.B "Detached and Attached Garages," Section  
17.24.060 "Location of Off-Street Parking," Chapter  
17.28 "Signs," Section 17.30.030 "General Definitions"**

**Adopted by the  
City Council  
of the  
City of St. Charles  
April 16, 2012**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, April 20, 2012**

*Nancy Jensen*  
\_\_\_\_\_  
City Clerk



DATE OF PUBLIC HEARING: 02/20/12  
DEPT: SA  
CASE: 4/16/12

**City of St. Charles, IL**  
**Ordinance No. 2012-Z-5**

**An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Section 17.04.430.C "Authorized Administrative Changes", Table 17.14-2, "Business and Mixed-Use Districts - Bulk Regulations", Section 17.22.020.A "General Requirements", Section 17.22.020.B "Detached and Attached Garages", Section 17.24.060 "Location of Off-Street Parking", Chapter 17.28 "Signs", Section 17.30.030 "General Definitions"**

WHEREAS, on or about January 27, 2012, 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 February 3, 2012, 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 February 21, 2012 and March 6, 2012 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 March 6, 2012; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the petition on or about April 9, 2012; 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:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section 1.
2. That Chapter 17.04 "Administration" Section 17.04.430 "Authorized Administrative Changes" is hereby deleted in its entirety and replaced by the following:

**“C. Authorized Administrative Changes.**

The Director of Community Development and the Director of Public Works may approve PUD Final Engineering and PUD Final Plans and changes or revisions to such plans which do not alter the design or intent of the approved PUD Preliminary Plans, in order to accommodate field conditions and detailed design considerations that occur during PUD Final Engineering or PUD Final Plan design. Administrative changes will typically involve minor relocations of features such as utility boxes, light poles, trees and landscape plantings, drainage inlets, and walkways; or changes of two (2) feet or less in the locations of buildings, streets and parking lots; changes to the location, size, and design of wall signs; and changes to the tenant/business identification area of free standings signs. Administrative changes must meet the applicable standards of the Zoning Ordinance or Special Use for a Planned Unit Development Ordinance.”

3. That Chapter 17.14 “Business and Mixed Use Districts” Table 17.14-2 “Business and Mixed Use District Bulk Regulations” is hereby amended by adding the following footnote to “Maximum Building Coverage”:

“In the CBD-2 District, if a detached garage is provided in lieu of an attached garage, or if an attached garage is accessed via an alley, a) on lots 65 feet or less in width, 500 square feet of additional Building Coverage is allowed, and b) on lots more than 65 feet in width, 250 square feet of additional Building Coverage is allowed.”

4. That Chapter 17.22 “General Provisions” Section 17.22.020 “Accessory Buildings and Structures” Subsection B. “Detached and Attached Garages Accessory to One and Two Family Dwellings” items 5 & 6 are hereby deleted in their entirety and replaced by the following:

“5. In the RT1, RT2, RT3, RT4, and CBD-2 Districts, the width of an attached private garage for a one or two family dwelling with an overhead door facing a street shall not exceed fifty percent of the width of the dwelling including the garage, as measured along the front building line or exterior side building line that it faces. For corner lots, this restriction shall only apply along the lot line facing the primary front door entry into the building, as determined by the Building Commissioner.”

“6. In the RT1, RT2, RT3, RT4, and CBD-2 Districts, attached private garages for one and two family dwellings with an overhead door facing a street shall be set back from the front lot line or exterior side lot line that it faces at least five (5) feet more than the remainder of the dwelling. For corner lots, this requirement shall apply to at least one of the building lines facing the street, and shall apply to the other building line only when the width of an overhead door or doors facing a street is less than sixty-six (66) percent of the width of the dwelling including the garage, as measured along the front or exterior building line that it faces.”

5. 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 the appropriate documentation to the Director of Community Development in accordance with the following:

1. Change in Use and/or Intensity of Use per Section 17.24.010 - 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.
2. Construction of a new building or facility - a recorded permanent easement demonstrating the right to use the required number of parking spaces on the lot containing the parking.”

6. That Chapter 17.28 “Signs” Section 17.28.060 “Illumination” Subsection A “Flashing Lights” is hereby deleted in its entirety and replaced by the following:

**“A. Flashing Signs**

No sign or other advertising structure shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations, except that electronic reader boards that change copy or illumination are permitted in all Zoning Districts where internally illuminated signs are permitted as follows:

1. Electronic reader board signs shall be permitted to change no more frequently than once per every 15 seconds and shall not exceed 50% or 50 square feet, whichever is less, of the sign on which it is located.
2. Electronic reader board signs in the CBD-1 and CBD-2 Districts shall be permitted to change no more frequently than once per every 30 seconds and shall not exceed 30% or 30 square feet, whichever is less, of the sign on which it is located.
3. The change of copy or illumination is of a duration of one second or less, shall be permitted.”

7. That Chapter 17.28 “Signs” Section 17.28.060 “Illumination” is hereby amended by adding a new Subsection D as follows:

**“D. Direction of Illumination**

All sign illumination shall be designed, located, shielded and directed so as to prevent the casting of glare or direct light upon adjacent streets and surrounding properties.”

8. That Chapter 17.28 “Signs” Section 17.28.090 “Exemptions” is hereby amended by adding the following new Subsection L:

**“L. Drive-Through Menu Board Signs**

One permanent freestanding Drive-Through Menu Board Sign shall be permitted per each permanent ordering station related to the approved Special Use for a Drive-Through. Drive-Through Menu Boards Signs shall not exceed thirty-two (32) square feet in area. Drive-Through Menu Board Signs require a building permit to ensure compliance with applicable codes.”

9. That Chapter 17.28 “Signs” Section 17.28.090 “Exemptions” is hereby amended by adding the following new Subsection M:

**“M. Window Signs**

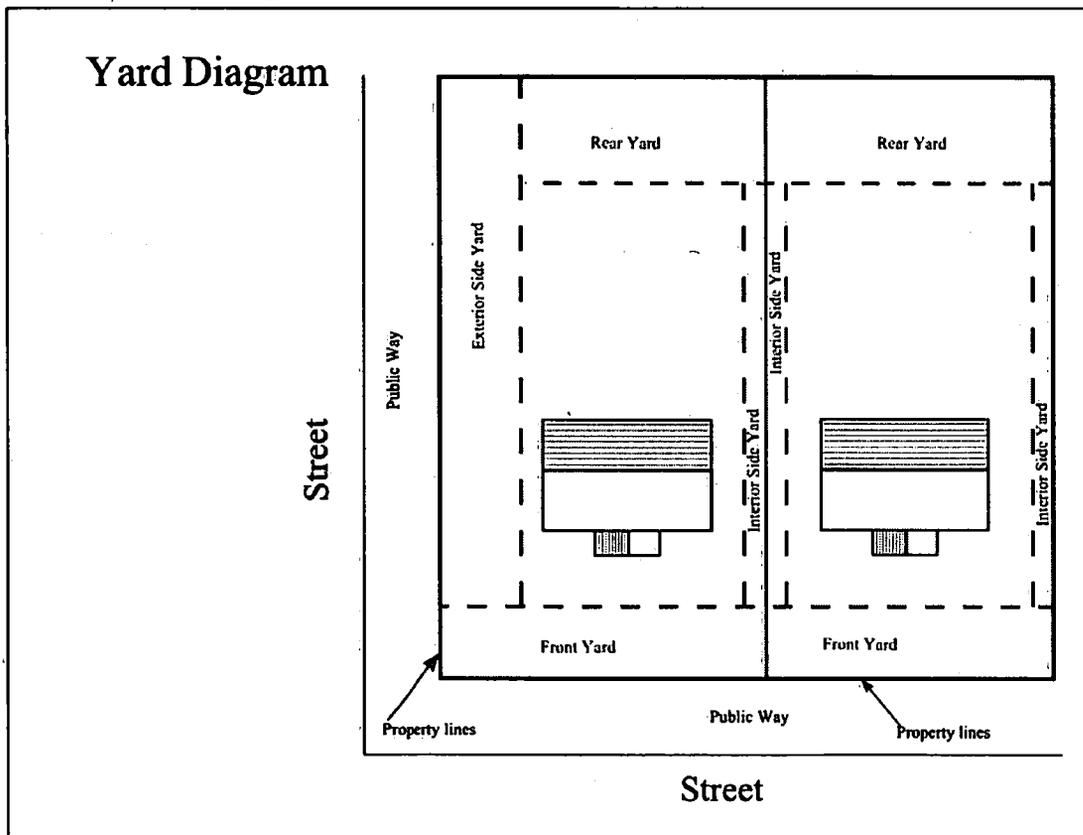
Window Signs shall not exceed fifty percent (50%) of the total area of the window frame on which the sign is located. Signs that are not permanently affixed to the window do not require a permit.”

10. That Chapter 17.30 “Definitions” Section 17.30.030 “General Definitions” the definition for “Sign, Flashing” is hereby deleted in its entirety and replaced by the following:

**“Sign, Flashing.** Any illuminated sign on which the intensity or color of the artificial light changes. For the purposes of this Title, any moving illuminated sign, including electronic reader boards, shall be considered a Flashing Sign.”

11. That Chapter 17.30 “Definitions” Section 17.30.030 “General Definitions” is hereby amended by adding the following Yard Location Diagram after the definition of “Yard, Rear”:

**“Yard Location Diagram**



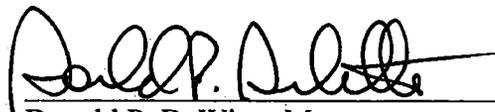
12. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation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

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of April 2012.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of April 2012.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of April 2012.



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

Attest:

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

COUNCIL VOTE:

Ayes: 10

Nays: 0

Absent:

Abstain:

APPROVED AS TO FORM:

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

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

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.

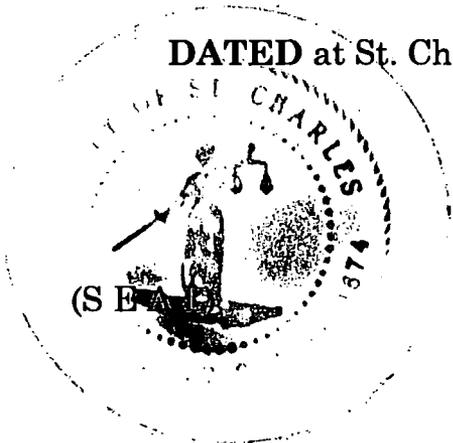
I further certify that on April 16, 2012, the Corporate Authorities of such municipality passed and approved Ordinance No. 2012-Z-5, entitled

"Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Section 17.04.430.C "Authorized Administrative Changes," Table 17.14-2, "Business and Mixed-Use Districts - Bulk Regulations," Section 17.22.020.A "General Requirements," Section 17.22.020.B "Detached and Attached Garages," Section 17.24.060 "Location of Off-Street Parking," Chapter 17.28 "Signs," Section 17.30.030 "General Definitions","

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

The pamphlet form of Ordinance No. 2012-Z-5, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 20, 2012, 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 16th day of April 2012.



*Nancy Garrison*  
Municipal Clerk