

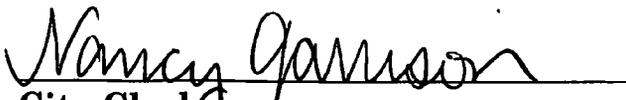
City of St. Charles, Illinois

Ordinance No. 2014-Z-5

**Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning" Table 17.14-1
"Business and Mixed Use Districts Permitted and
Special Uses", Section 17.20.030 "Standards for Specific
Uses", Table 17.24-3 "Required Off-Street Parking", and
Chapter 17.30 "Definitions" Regarding Pet Care
Facilities and Kennels**

**Adopted by the
City Council
of the
City of St. Charles
April 21, 2014**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, April 25, 2014**


City Clerk

(SEAL)

PC4

FORM NO:	
DATE:	
TIME:	

City of St. Charles, IL
Ordinance No. 2014-Z- 5

5

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled "Zoning" Table 17.14-1 "Business and Mixed Use Districts Permitted
and Special Uses", Section 17.20.030 "Standards for Specific Uses", Table
17.24-3 "Required Off-Street Parking", and Chapter 17.30 "Definitions"
Regarding Pet Care Facilities and Kennels**

WHEREAS, on or about February 4, 2014, Robin Massey ("the Applicant") filed an application to amend the Zoning Ordinance of the City of St. Charles regarding a new permitted use, Pet Care Facility, being permitted as a Special Use in the BL-Local Business, BC-Community Business, and BR-Regional Business Zoning Districts, and removing Kennel as a Special Use from the BC-Community Business and BR-Regional Business Zoning Districts; and,

WHEREAS, Notice of Public Hearing on said application was published on or about February 14, 2014, 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 regarding said application on or about March 4, 2014 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 application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said application on or about March 4, 2014; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said application on or about April 14, 2014; 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 17.14 “Business and Mixed Use Districts” Table 17.14-1 “Business and Mixed Use Districts Permitted and Special Uses” is hereby amended by modifying said table as follows:

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	
RETAIL AND SERVICE USES							
Kennels (Remove from Table)							
Pet Care Facility	S	S	S				

3. That Chapter 17.20 “Use Standards” Subsection 17.20.030.V is hereby amended by adding a new Subsection “V” and renumbering Subsection “V” as Subsection “W” and Subsection “W” as Subsection “X”. The new Subsection “V” shall be as follows:

“V. Pet Care Facilities

Pet Care Facilities” shall comply with the following standards:

1. Outdoor exercise areas shall not be located on a property that abuts a residentially zoned property.
2. Outdoor exercise areas that directly abut or face any residentially zoned properties, commercially zoned properties, and any public street shall be screened with a 100% opaque non-see-through fence or wall.
3. All animals shall be kept either within completely enclosed structures or under direct control of the facility operator or staff at all times, and shall be indoors between the hours of 7:00 PM and 7:00 AM.
4. The operation of the Pet Care Facility shall not allow the creation of noise by any animal or animals under its care which can be heard by any person at or beyond the property line of the lot on which the kennel is located, which occurs a) repeatedly over at least a seven-minute period of time at an average of at least twelve animal noises per minute, or b) repeatedly over at least a fifteen minute period of time, with one minute or less lapse of time between each animal noise during the fifteen-minute period.”

4. That Chapter 17.24 “Off-Street Parking, Loading & Access” Table 17.24-3 “Required Off-Street Parking” is hereby amended by modifying said table as follows:

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	PARKING REQUIREMENT
RETAIL AND SERVICE USES	
Pet Care Facilities	3 per 1,000 of GFA

5. That Chapter 17.30 "Definitions" Section 17.30.020 "Use Definitions" is hereby amended by adding the following use definition:

"Pet Care Facilities. A building, structure or portion thereof designed or used for the retail sale of pet products and food, grooming, boarding, training, daycare or overnight boarding of dogs, cats or other household domestic animals. The overnight boarding area of the establishment shall not exceed 50% of the total Gross Floor Area of the business. Establishments that only provide daycare and overnight boarding services, or establishments where these services exceed 50% of the Gross Floor Area, shall be considered a Kennel, not a Pet Care Facility."

6. 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.

7. This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

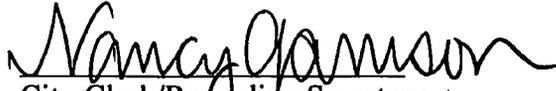
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 21st day of April 2014.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 21st day of April 2014.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 21st day of April 2014.


Raymond P. Rogina, Mayor

Attest:


Nancy Garrison
City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes: 9



Nays:

Absent:

Abstain: /

APPROVED AS TO FORM:

City Attorney

DATE: _____

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 April 21, 2014, the Corporate Authorities of such municipality passed and approved Ordinance No. 2014-Z-5, entitled

"Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Table 17.14-1 "Business and Mixed Use Districts Permitted and Special Uses", Section 17.20.030 "Standards for Specific Uses", Table 17.24-3 "Required Off-Street Parking", and Chapter 17.30 "Definitions" Regarding Pet Care Facilities and Kennels,"

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

The pamphlet form of Ordinance No. 2014-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 25, 2014, 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 21st day of April 2014.

Nancy Garrison
Municipal Clerk

(S E A L)

