

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>		Agenda Item number: 3b
	Title:	Plan Commission recommendation to approve General Amendments to Title 17 (Zoning Ordinance) regarding Pet Care Facilities in the M1 zoning district and off-premise signs in commercial and manufacturing districts.	
	Presenter:	Russell Colby	
Meeting: Planning & Development Committee		Date: December 11, 2017	
Proposed Cost: N/A		Budgeted Amount: N/A	Not Budgeted: <input type="checkbox"/>
<b>Executive Summary (if not budgeted please explain):</b> <p>Robin Massey is the owner of Fydoland, a Pet Care Facility that is currently operating at 1317 E. Main St. Ms. Massey proposes to locate Fydoland in a nearby building at 1311 E. Main St., and has submitted the following General Amendment requests in connection with the proposed business relocation:</p> <ol style="list-style-type: none"> <li>1. Add “Pet Care Facility” as a Special Use in the M1 Special Manufacturing District.</li> <li>2. Allow Off-Premise signs for lots without street frontage in business and manufacturing districts (BL, BC, BR, M1, M2 districts).</li> </ol> <p>Ms. Massey has separately submitted a Special Use application to permit the Fydoland business to be established at 1311 E. Main St. That application, which is being considered under a separate agenda item, is contingent on approval of General Amendment #1 regarding Pet Care Facilities.</p> <p><b>Plan Commission review</b></p> <p>The Plan Commission held a public hearing regarding the General Amendments on 12/5/17.</p> <ol style="list-style-type: none"> <li>1. Item #1, to add “Pet Care Facility” as a Special Use in M1, was recommended for approval, 9-0, with no significant issues raised during the hearing.</li> <li>2. Item #2, to permit off-premise signs for lots without street frontage, was discussed in greater detail. The Commissioners all supported the concept but had different perspectives on whether the code should allow placement of an additional freestanding sign (potentially resulting in two freestanding signs on a single lot) and if additional sign face area should be available for displaying the advertising for an off-premise business.</li> </ol> <p>The Plan Commission recommended approval, 9-0, to:</p> <ul style="list-style-type: none"> <li>• Continue to limit freestanding signs to one per lot, even if signage is being provided for an off-site business.</li> <li>• Grant additional freestanding sign face area for displaying signage for an off-site business, equal to 50% of the sign area otherwise allowed. (For example, if a 100 sf. sign is permitted per the zoning district of the property, then an additional 50 sf. may be added to advertise an off-site business, resulting in a total potential sign size of 150 sf.).</li> </ul> <p>It was noted during the discussion that this provision would only apply to a limited number of parcels (Staff identified 6 parcels), and any display of offsite signage would still be contingent on a property owner being willing to display the signage for the off-site business.</p> <p><b>Attachments (please list):</b> Plan Commission Resolution, Staff Report, Applications</p> <p><b>Recommendation/Suggested Action (briefly explain):</b> Plan Commission recommendation to approve General Amendments to Title 17 (Zoning Ordinance) regarding Pet Care Facilities in the M1 zoning district and off-premise signs in commercial and manufacturing districts.</p>			

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 19-2017**

**A Resolution Recommending Approval of a General Amendment  
regarding Pet Care Facilities in the M1 District and  
Off-Premise Signs in Business and Manufacturing Districts**

**Passed by Plan Commission on December 5, 2017**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Title 17, "Zoning"; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the petition for a General Amendment to permit Pet Care Facilities as a Special Use in M1 District and to permit Off-Premise Signs for lots without street frontage in Business and Manufacturing Districts; and

WHEREAS, in accordance with Section 17.04.320.C, the Plan Commission has considered the following criteria for General Amendment, Pet Care Facilities as a Special Use in M1, Chapter 17.16:

**1. The consistency of the proposed amendment with the City's Comprehensive Plan.**

The proposed amendment will facilitate implementation of the city's Comprehensive Plan for East Main Street, allow opportunities for use of this vacant building, and provide for economic development.

**2. The consistency of the proposed amendment with the intent and general regulation of this Title.**

The proposed amendment clarifies and provides for additional specific uses that are consistent with similar permitted uses in the M2 district.

**3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy,**

The proposed amendment clarifies existing requirements; it expands existing text by specifying other similar permitted uses, and reflects a policy of expanding economic development opportunities for underutilized properties on East Main St.

**4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.**

The amendment, as proposed, will provide for expanded job opportunities, increase sales tax, more potential business traffic and exposure for other commercial land uses on or with direct access to East Main Street.

**5. The extent to which the proposed amendment creates nonconformities.**

None.

**6. The implications of the proposed amendment on all similarly zoned property in St. Charles.**

Provides expanded opportunities for other similarly zoned properties in St. Charles.

WHEREAS, in accordance with Section 17.04.320.C, the Plan Commission has considered the following criteria for General Amendment, Offsite Signage, Chapter 17.28:

**1. The consistency of the proposed amendment with the City's Comprehensive Plan.**

The proposed amendment will facilitate implementation of the city's Comprehensive Plan for East Main Street, allow opportunities for use of vacants building, and provide for economic development.

**2. The consistency of the proposed amendment with the intent and general regulation of this Title.**

The proposed amendment provides for offsite signage in an area that is not included but similar to other zoning districts surrounding such as CBD-1 and CBD-2, both on East Main Street.

**3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy,**

The proposed amendment expands existing text to include zoning districts that may have similar permitted uses that cannot currently have offsite signage. It will also help to facilitate a policy of expanding economic development opportunities for underutilized properties.

**4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.**

The amendment, as proposed, will provide for expanded job opportunities, increase sales tax, more potential business traffic and exposure for other commercial land uses..

**5. The extent to which the proposed amendment creates nonconformities.**

None.

**6. The implications of the proposed amendment on all similarly zoned property in St. Charles.**

Provides expanded opportunities for other similarly zoned properties in St. Charles.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a General Amendment to Pet Care Facilities in M1 District, Off-Premise Signs in Business and Manufacturing Districts, subject to the following conditions:

- The number of freestanding signs located on the lot shall not exceed the number of signs otherwise permitted.
- Additional sign face area for displaying the sign of the off-site business shall be permitted, up to 50% of the maximum sign area otherwise permitted for the sign.

Roll Call Vote:

Ayes: Holderfield, Schuetz, Funke, Kessler, Purdy, Pretz, Wallace, Pietryla, Vargulich

Nays:

Abstain:

Absent:

Motion Carried: 9-0

PASSED, this 5<sup>th</sup> day of December 2017.

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Chairman  
St. Charles Plan Commission

**Community & Economic Development  
Planning Division**  
Phone: (630) 377-4443



## **STAFF REPORT**

**TO:** Chairman Ed Bessner  
And Members of the Planning & Development Committee

**FROM:** Russell Colby, Planning Division Manager

**RE:** General Amendment to Title 17 (Zoning Ordinance): Pet Care Facilities in M1, Off-Premise Signs in Business & Manufacturing Districts

**DATE:** December 8, 2017

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### **I. GENERAL INFORMATION**

**Project Name:** General Amendment – Pet Care Facilities in M1, Off-Premise Signs in Business & Manufacturing Districts

**Applicant:** Robin Massey

**Purpose:** Add “Pet Care Facility” as a Special Use in the M1 district  
Allow off-premise signs for lots without street frontage in business and manufacturing districts.

### **II. BACKGROUND**

Robin Massey is the owner of Fydoland, a Pet Care Facility that is currently operating at 1317 E. Main St.

Ms. Massey proposes to locate Fydoland in a nearby building at 1311 E. Main St., and has submitted the following General Amendment requests in connection with the proposed business relocation:

- Add “Pet Care Facility” as a Special Use in the M1 Special Manufacturing District.
- Allow Off-Premise signs for lots without street frontage in business and manufacturing districts (BL, BC, BR, M1, M2 districts)

Ms. Massey has separately submitted a Special Use application to permit the Fydoland business to be established at 1311 E. Main St. That application, which is being considered under a separate agenda item, is contingent on approval of the General Amendment regarding Pet Care Facilities.

### **III. PET CARE FACILITIES GENERAL AMENDMENT**

#### **Pet Care Facility Use**

The “Pet Care Facility” use category was created in 2014. At the time, Ms. Massey, the applicant, was proposing to open the Fydoland business. The City’s Zoning Ordinance did not have a category that fit the business model, which is a mix of both a retail/service use and a kennel. Additionally, no zoning districts allowed for both retail/service and a kennel as principal uses.

Staff researched other area zoning ordinances and assisted the applicant in proposing a new use category called “Pet Care Facility”, which was added as a Special Use in the three business districts: BL-Local Business, BC-Community Business and BR-Regional Business.

#### **Definition of a Pet Care Facility (17.30.020)**

*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.*

#### **Use Standards for Pet Care Facilities (17.20.030)**

*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.*

#### **Proposal to add Pet Care Facility as Special Use in M1**

The applicant is proposing that the Pet Care Facility be added as a Special Use in the M1-Special Manufacturing District.

#### **M1 District Purpose Statement (17.16.010)**

*The purpose of the M-1 Special Manufacturing District is to accommodate older manufacturing areas in the City that are either in transition from manufacturing to alternative uses, or are in need of rehabilitation. The M-1 District shall provide flexibility in design and parking requirements to allow for adaptive reuse and/or redevelopment for viable light assembly, processing, heavy retail and service, and office uses.*

The M1 district covers pockets of older industrial development located both east and west of downtown, generally in close proximity to the former railroad spur through the City. The M1 properties are the City's early industrial properties that developed based upon railroad access. The largest area of M1-zoned property in the City contains the Foundry Business Park redevelopment, located on the west side along Dean Street at 17<sup>th</sup> Street.

The attached zoning maps show the general locations of M1 property in St. Charles, with labels identifying large developments, businesses or land uses in or around M1 zoned areas.

If this General Amendment is approved, a Special Use application would need to be filed prior to the establishment of a Pet Care Facility in the M1 zoning district. Special Use applications require a public hearing before the Plan Commission and approval by City Council. Classifying the use as a Special Use provides the City the opportunity to review the plans for the establishment of a business in order to make a determination whether the business will meet the applicable ordinance standards (i.e. the finding of fact for Special Use).

#### **Definition of a Special Use (17.04.330.A)**

*Special Uses listed within the various zoning districts include those uses that may be acceptable if established in an appropriate manner and location within a zoning district, but may not be acceptable if established in a different manner or location. Special Uses may include, but are not limited to, public and quasi-public uses affected with the public interest, and uses that may have a unique, special or unusual impact upon the use or enjoyment of neighboring property.*

#### **Comprehensive Plan**

The Comprehensive Plan Commercial Land Use Policies, p. 49, provides the following recommendations regarding land uses in industrial areas:

***Relocate existing industrial uses from other areas of the City into designated industrial areas elsewhere in the community when opportunities arise.***

*Industrial uses, when organized into parks, provide a level of protection for the uses themselves and for surrounding uses. When isolated, these uses need to be compatible with surrounding and adjacent uses. Like many older communities, St. Charles developed its business areas along its waterways and railroads, the key transportation methods of that time. Since then the Fox River has transitioned from an industrial waterway to a valuable recreation amenity and source of community pride and the Union Pacific Railroad has been decommissioned throughout most of the City. Today isolated industrial properties seem out of context, and many have become surrounded by residential uses. The City should work with these uses to relocate industrial uses to areas designated for Industrial/Business Park in the Land Use Plan, removing land use conflicts from neighborhoods.*

***Limit the infiltration of recreation and non-industrial uses into the City's industrial and business parks.***

*The City's larger industrial areas should be preserved and specifically targeted to industrial/business park improvements rather than athletic, institutional, or other uses. Over time, the intrusion of non-industrial/business park uses can reduce the desirability of an area from being sought out for new industrial investment and businesses.*

## **IV. OFF-PREMISE SIGNS IN BUSINESS AND MANUFACTURING DISTRICTS**

### **Regulation of Off-Premise Signs**

A sign advertising a business which is not located on the same lot as the sign is considered an off-premise sign. A “billboard” is type of off-premise sign. Generally, off-premise signs are prohibited by the Zoning Ordinance, except for certain limited circumstances.

#### **Regulation of Off-Premise Signs- Section 17.28.080.G, “Prohibited Signs – Off-Premise Signs”:**

*Signs which advertise a business or service not located on the same lot or within the same PUD or Shopping Center, or which otherwise do not relate to the uses permitted on the lot or within the same PUD or Shopping Center, such as billboards, are prohibited in all districts except:*

1. *In the PL District, an Identification Sign advertising a business or service may be located off-premise on an adjacent lot in the PL District.*
2. *In the CBD-1 and CBD-2 District, for lots without street frontage, in lieu of an Identification Sign located on the lot, an Identification Sign may be located off-premise on an adjacent lot with street frontage in either the CBD-1 or CBD-2 zoning district, subject to the authorization of the property owner.*

*Any off-premise sign that is no longer utilized shall be removed by the owner of the sign or the owner of the property on which the sign is located.*

*(Note: A “Shopping Center is defined as: “Two (2) or more retail stores and/or service establishments located on a parcel of four acres or more sharing customer parking areas, regardless of whether said stores and/or establishments occupy separate structures or are under separate ownership.”)*

Currently, there is an exception made for parcels without public street frontage in the CBD-1 and CBD-2 districts. This provision was added to the Zoning Ordinance based upon a General Amendment application filed by a property owner within the downtown area. At the time, there was no consideration of whether it would be appropriate to allow off-premise signs for lots without street frontage in other districts outside of downtown.

### **Proposed Amendment**

Ms. Massey is proposing this General Amendment in order to install a sign for the proposed Fydoland, 1311 E. Main St. (zoned M1), on an adjacent property with frontage on Main Street, 1307 E. Main St. (zoned BL).

In order to determine the impact of this proposed amendment, staff surveyed properties within business and manufacturing districts to identify how many parcels exist without street frontage. Based on the survey, the proposed General Amendment would impact only a limited number of existing parcels.

Many parcels without street frontage are already within PUDs (where a sign for a business within the PUD can be placed anywhere within the PUD). Other parcels without street frontage may be developed in connection with an adjacent parcel that has street frontage, in which case, the effective “zoning lot” spanning two parcels already has frontage for signage purposes.

The following lots would be impacted by the proposed amendment:

- 4072 E. Main St. (Lots located around Hilton Garden Inn, although some lots may be considered part of a Shopping Center based on common parking)
- 1415 South Ave. (Marshalls Towing)
- 1311 E. Main St. (proposed Fydoland location)
- 1315 E. Main St. (adjacent to proposed Fydoland)
- 230 N. Randall Rd. (Export Fitness carwash)
- 2406 W. Main St. (Sherwin Williams store)

## **V. PLAN COMMISSION RECOMMENDATION**

The Plan Commission held a public hearing regarding the General Amendments on 12/5/17.

1. General Amendment #1, to add “Pet Care Facility” as a Special Use in M1, was recommended for approval, 9-0, with no significant issues raised during the hearing.
2. General Amendment #2, to permit off-premise signs for lots without street frontage, was discussed in greater detail. The Commissioners all supported the concept but had different perspectives on whether the code should allow placement of an additional freestanding sign (potentially resulting in two freestanding signs on a single lot) and if additional sign face area should be available for displaying the advertising for an off-premise business.

The Plan Commission recommended approval, 9-0, to:

- Continue to limit freestanding signs to one per lot, even if signage is being provided for an off-site business.
- Grant additional freestanding sign face area for displaying signage for an off-site business, equal to 50% of the sign area otherwise allowed. (For example, if a 100 sf. sign is permitted per the zoning district of the property, then an additional 50 sf. may be added to advertise an off-site business, resulting in a total potential sign size of 150 sf.).

It was noted during the discussion that this provision would only apply to a limited number of parcels (Staff identified 6 parcels), and any display of offsite signage would still be contingent on a property owner being willing to display the signage for the off-site business.

**Text of Proposed General Amendment, as recommended by Plan Commission:**

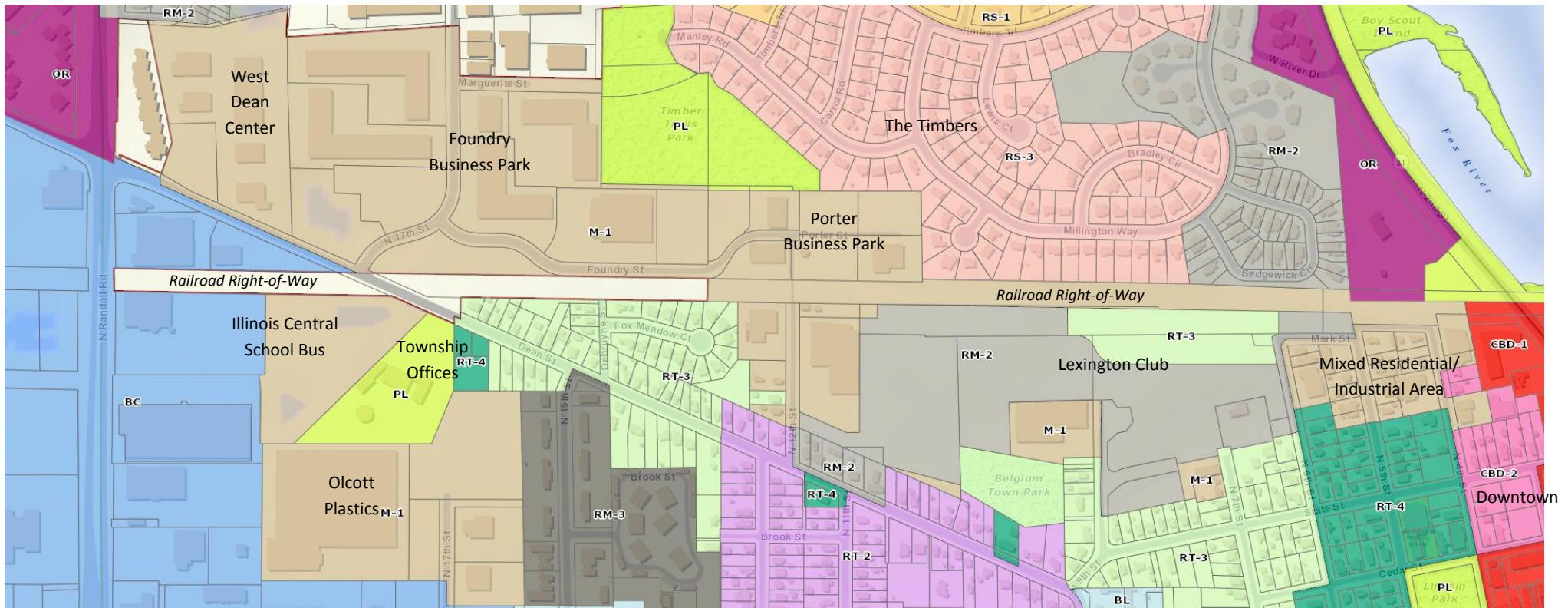
*Existing text:*

In the CBD-1 and CBD-2 District, for lots without street frontage, in lieu of an Identification Sign located on the lot, an Identification Sign may be located off-premise on an adjacent lot with street frontage in either the CBD-1 or CBD-2 zoning district, subject to the authorization of the property owner.

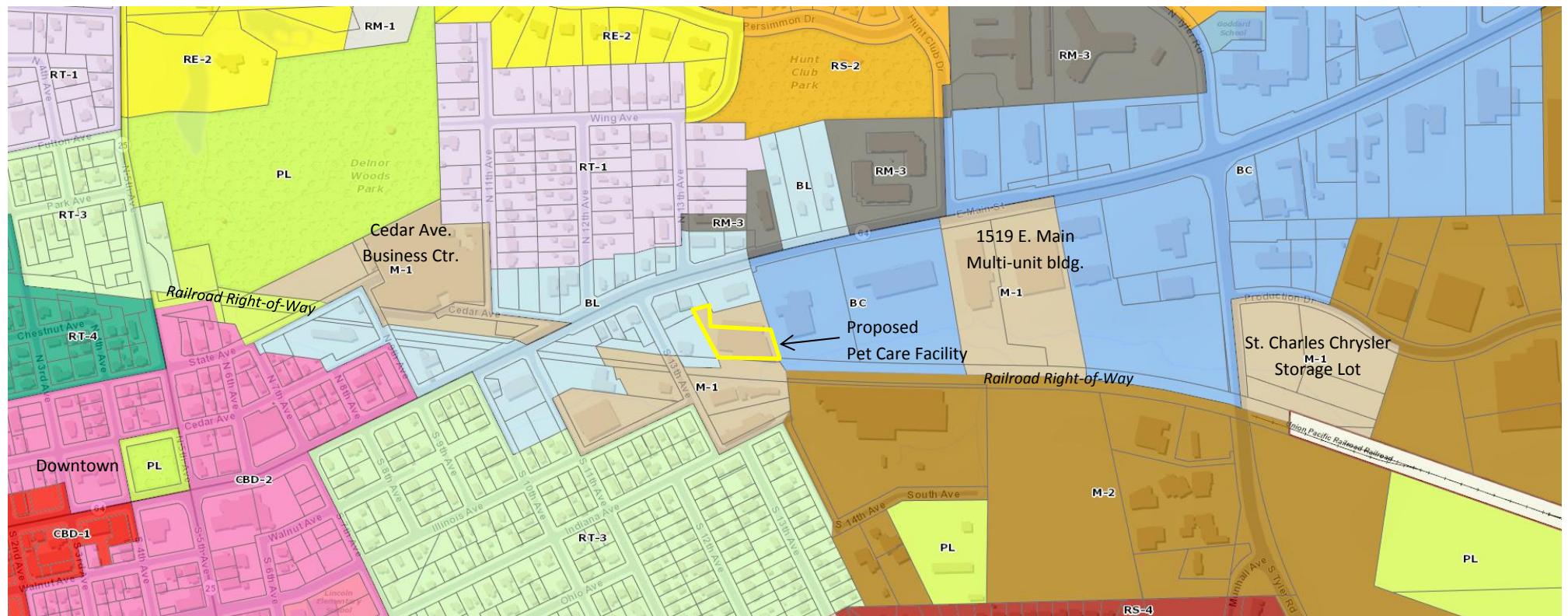
*Proposed text:*

In the CBD-1, CBD-2, BL, BC, BR, M1 and M2 Districts, for lots without street frontage, in lieu of a freestanding Identification Sign located on the lot, a sign may be placed on a freestanding sign on an adjoining lot with street frontage in either the CBD-1, CBD-2, BL, BC, BR, M1 or M2 Districts, subject to the authorization of the property owner. The number of signs located on the lot shall not exceed the number of signs otherwise permitted. Additional sign face area for displaying the sign of the off-site business shall be permitted, up to 50% of the maximum sign area otherwise permitted for the sign.

## M1 Zoning Areas- West Side



## M1 Zoning Areas- East side



# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## GENERAL AMENDMENT APPLICATION

<b>CITYVIEW</b>	
Project Name:	Fyoland - 1311 E. Main St.
Project Number:	2017 -PR- 016
Application Number:	2017 -AP- 041

<b>RECEIVED</b>
St. Charles, IL
OCT 23 2017
<b>CDD</b>
<b>Planning Division</b>

### Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance (City Code Title 17), complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

Applicant:	Name <i>Robin Massey</i>	Phone <i>847.650.6662</i>
	Address <i>703 N. 3rd Ave St. Charles, IL 60174</i>	Fax
		Email <i>RobinMassey@fyoland.com</i>

### Attachment Checklist

If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance (\$500)
- REIMBURSEMENT OF FEES AGREEMENT:**  
An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES INITIAL DEPOSIT:**  
Deposit of funds in escrow with the City. (For a General Amendment application only: \$1,000 deposit.)
- FINDINGS:** Fill out the attached form or submit responses on a separate sheet.

WORDING OF THE REQUESTED TEXT AMENDMENT

### **What is the amendment regarding?**

- ① Adding Petcare facility as a special use in the M-1 district.
  - ② Permit off premise signs in the commercial & manufacturing districts.

### **What sections are proposed for amendment?**

	Special Use	off site sign
Chapters(s):	<u>17.16</u>	<u>17.28</u>
Section(s):	<u>Table 17.16-1</u>	<u>17.28 .080</u>

**The wording of the proposed amendment:** Insert below or attached wording on a separate page.

- ① See attached
  - ② See attached. Off premise signs allowed in CBD 1 and CB2 2. This would also include zoning districts BL, BC, BR, M-1 and M-2.

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

R. Massie 10-17-17  
Applicant Date

## FINDINGS OF FACT – GENERAL AMENDMENT



The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the “burden of proof” is on you to show why the proposed amendment is appropriate. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the amendment in question, indicate “not applicable” and explain why it does not apply.

Special Use in M-1, Chapter 17.16  
Amendment Description/Ordinance Section Number

10-20-17  
Date

### From the Charles Zoning Ordinance, Section 17.04.320.C:

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

The proposed amendment will facilitate implementation of the city's Comprehensive Plan for East Main Street, allow opportunities for use of this vacant building, and provide for economic development.

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

The proposed amendment clarifies and provides for additional specific uses that are consistent with similar permitted uses in the M-1 district.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

The proposed amendment clarifies existing requirements, it expands existing text by specifying other similar permitted uses, and reflects a policy of expanding economic development opportunities for underutilized properties on East Main Street.

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

The amendment, as proposed, will provide for expanded job opportunities, increased sales tax, more potential business traffic and exposure for other commercial land uses on or within direct access to East Main Street.

5. The extent to which the proposed amendment creates nonconformities.

None

6. The implications of the proposed amendment on all similarly zoned property in the City.

Provides expanded opportunities for other properties in Saint Charles.

## OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LAND

<b>TABLE 17.16-1 OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LANDS PERMITTED AND SPECIAL USES</b>					
P=Permitted Use S=Special Use A=Permitted Accessory Use SA=Special Use, Accessory Only	<b>ZONING DISTRICT</b>				<b>SPECIFIC USE STANDARDS</b>
	O-R	M-1	M-2	PL	
<b>RESIDENTIAL USES</b>					
Artists Live/Work Space		S			Section 17.20.030
Assisted Living Facility	P				
<b>CULTURAL, RELIGIOUS, RECREATIONAL &amp; ENTERTAINMENT USES</b>					
Art Gallery/Studio	P	P			
Carnival (as temporary use)				P	Section 17.20.040, 050
Cultural Facility	P	P	P	P	
Golf Course				P	
Indoor Recreation& Amusement	P	S	P	P	
Model Airplane Facility				S	
Outdoor Amusement				S	
Outdoor Entertainment, Temporary				P	
Outdoor Recreation				P	
Park, Neighborhood				P	
Place of Worship	P	S	S		Section 17.20.030
Theater				P	
<b>RETAIL, OFFICE AND SERVICE USES</b>					
Adult Use			S		Section 17.20.030
Bank	P				
Car Wash			S		Section 17.24.100
Day Care Center	P	P	P	A	
Drive-In Facility	SA				Section 17.24.100
Emergency Medical Center	P				
Financial Institution	P				
Heavy Retail and Service		S	P		
Heliport			S		
Hotel/Motel	P	P	P		
Kennel			S		Section 17.20.030
Medical/Dental Clinic	P	P	P		
Motor Vehicle Service and Repair, Major			P		Section 17.20.030
Motor Vehicle Service and Repair, Minor			P	P	Section 17.20.030
Motor Vehicle Rental	P	P	P		
Office, Business or Professional	P	P	P		
Outdoor Sales, Permanent		SA	SA		Section 17.20.030
Outdoor Sales, Temporary		A	A	A	Section 17.20.040, 050
Professional Training Center	P	P			
Veterinary Office/Animal Hospital	P	P	P		
<b>GOVERNMENTAL AND INSTITUTIONAL USES</b>					
Cemetery				P	
College/University	P			P	
Correctional Facility				S	
Fairground				P	
Hospice	P				
Hospital	P				
Nursing Home	P				
Office, Government	P	P		P	
Police Firearms Training Range				S	
Public Service Facility		P	P	P	
School, Primary or Secondary				P	

Add "Pet Care Facility" as a Special Use in M1

**OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LAND**

<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				<b>SPECIFIC USE STANDARDS</b>
	O-R	M-1	M-2	PL	
School, Private Boarding				P	
School, Specialized Instruction	P	P	P		
<b>INDUSTRIAL/STORAGE USES</b>					
Junkyard			S		
Manufacturing, Heavy			S		
Manufacturing, Light		P	P		
Mini-Warehouse		P	P		
Outdoor Storage		A	A	A	Section 17.20.030, 17.26.120
Permanent Motor Vehicle Storage			P		Section 17.20.030
Recycling Facility			S		
Research and Development Use	P	P	P		
Warehouse/Distribution		P	P		
<b>OTHER</b>					
Accessory Uses	A	A	A	A	
Agriculture				P	
Communication Antenna	P	P	P	P	Section 17.22.020
Communication Tower	S	P	P	P	Section 17.22.020
Parking Garage/Structure	A	A	A	A	Chapter 17.24
Parking Lot, Private	A	A	A	A	Chapter 17.24
Planned Unit Development	S	S	S	S	Chapter 17.04, 17.06
Transportation Operations Facility		S	P	S	
Utility, Local	P	P	P	P	
Utility, Community/Regional	S	S	P	P	
Wind Turbine, Structure Mounted	A	A	A	A	Section 17.22.020.G
Wind Turbine, Tower Mounted	S	S	P	P	Section 17.22.020.H

(Ord. 2011-Z-11 § 3; Ord. 2009-Z-7 § 2; Ord. 2008-Z-24 § 7; Ord. 2006-Z-19 § 1; Ord. 2006-Z-9 § 1; Ord. 2004-Z-25 § 1; Ord. 2003-Z-1 § 1; Ord. 2001-Z-19 § 1; Ord. 1999-Z-8 § 1; Ord. 1997-Z-28 § 1; Ord. 1996-Z-12 § 14; Ord. 1995-Z-14 § 2, 3; Ord. 1994-Z-17 § 1; Ord. 1994-Z-7 § 1-3; Ord. 1993-Z-19 § 5; Ord. 1993-Z-4 § 1 (E, F); Ord. 1993-Z-1; Ord. 1987-Z-16 § 1, 2; Ord. 1967-14 (part); Ord. 1966-33 § 2; Ord. 1960-16 § IX (B) (1, 2).)

## FINDINGS OF FACT – GENERAL AMENDMENT

The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.



As an applicant, the “burden of proof” is on you to show why the proposed amendment is appropriate. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the amendment in question, indicate “not applicable” and explain why it does not apply.

Off site signage Ch 17 28  
Amendment Description/Ordinance Section Number

10-20-17  
Date

### From the Charles Zoning Ordinance, Section 17.04.320.C:

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

The proposed amendment will facilitate implementation of the City's Comprehensive plan for East Main Street, allow opportunities for use of this vacant building, and provide economic development.

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

The proposed amendment provides for off site signage in an area that is not included but similar to other zoning districts surrounding such as CBD-1 and CBD-2, both on East Main Street.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

The proposed amendment expands existing existing text to include zoning districts that may have similar permitted uses that cannot currently have off site signage. It will also help to facilitate a policy of expanding economic development opportunities for under utilized properties.

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

The amendment, as proposed, will provide for expanded job opportunities, increased sales tax, and more potential business traffic and exposure for other commercial land uses in addition to the specific plan of FYPOLANP.

5. The extent to which the proposed amendment creates nonconformities.

NONE

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6. The implications of the proposed amendment on all similarly zoned property in the City.

Provides expanded opportunities for other  
Properties in Saint Charles

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## 17.28 – Signs

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- B. Is located on a site that has been continuously operated for the same business use for at least 40 years prior to the year of application for Historic Sign designation.
- C. The sign is of a unique shape or type of design representative of its era, and that is not commonly found in contemporary signs.
- D. The sign identifies a building or business that is associated with a family, business or organization that was noteworthy in the history of the St. Charles community.
- E. The sign does not violate Section 17.28.080, Prohibited Signs.

(2014-Z-21 [9]: § 1)

### 17.28.080 – Prohibited signs [10]

It shall be unlawful to erect or maintain the following signs:

#### 1. Signs which Constitute a Traffic Hazard

No sign shall:

- 1. Obstruct free and clear vision at any street, intersection, parking lot entrance or exit, or driveway.
- 2. Interfere with, obstruct the view of, or be designed so as to be confused with any authorized traffic sign, signal or device because of its position, shape or color.
- 3. Make use of the words STOP, LOOK, DETOUR, DANGER or any other word, phrase, symbol or character in a manner that misleads, interferes with or confuses traffic.
- 4. No sign in direct line of vision of a traffic signal shall be illuminated in red, green or amber color in such a manner that the sign illumination could be confused with the illumination from a traffic signal.

#### 2. Moving Parts

No sign shall have visible moving, revolving or rotating parts or visible mechanical movement of any kind, except for the movable hands of street clocks, and movement caused by the wind in the case of banners or flags.

#### 3. Signs of an Offensive Nature

No sign shall display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

#### 4. Obstruction of Doors, Windows or Fire Escapes

No sign or other advertising structure shall be erected, relocated or maintained so as to prevent free ingress to and egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

#### 5. Signs on Parked Vehicles

No sign shall be displayed on a vehicle parked in an off-street parking or loading area, or in an outdoor motor vehicle display area, except in the following instances:

- 1. The sign pertains to the sale, lease or rental of the vehicle on which it is displayed; or
- 2. The sign is painted or otherwise affixed to a truck, bus or other vehicle that is used to carry goods or people or to provide services at least one day per week, as an accessory use to the business identified on the sign.

Signs resting on, or attached to, vehicles or trailers used as a means to circumvent the provisions of this Chapter are prohibited.

(Ord. 1991-Z-35; Ord. 1975-Z-7; Ord. 1968-30; Ord. 1960-16 § IV (M).)

#### 6. Portable Signs

Portable signs are prohibited, except when authorized by a governmental agency in conjunction with

## **17.28 – Signs**

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construction or enforcement activities.

### **7. Off-Premise Signs**

Signs which advertise a business or service not located on the same lot or within the same PUD or Shopping Center, or which otherwise do not relate to the uses permitted on the lot or within the same PUD or Shopping Center, such as billboards, are prohibited in all districts except:

1. In the PL District, an Identification Sign advertising a business or service may be located off-premise on an adjacent lot in the PL District.
2. In the CBD-1 and CBD-2 District, for lots without street frontage, in lieu of an Identification Sign located on the lot, an Identification Sign may be located off-premise on an adjacent lot with street frontage in either the CBD-1 or CBD-2 zoning district, subject to the authorization of the property owner.

Any off-premise sign that is no longer utilized shall be removed by the owner of the sign or the owner of the property on which the sign is located.

Add  
BL, BC, BR  
M1, M2  
Districts

(2014-Z-11 [11]: § 2)

## **17.28.090 – Exemptions [12]**

### **1. Maintenance Operations**

The following maintenance operations are allowed and do not require a permit:

1. Changing the advertising copy or message on an existing changeable copy sign or similar approved sign, whether illuminated or non-illuminated.
2. Painting, repainting, cleaning, or other normal maintenance of a sign, not involving structural changes, changes to the permanent copy displayed on the sign, or changes in the electrical components of the sign.

### **2. Political Signs**

Political signs are allowed and do not require a permit.

### **3. Community Event Signs**

Temporary signs in conjunction with special events conducted by governmental agencies, educational institutions or charitable, not-for-profit organizations, such as philanthropic campaigns, church activities and other community activities, are allowed and do not require a permit, subject to the following:

1. Such signs shall not exceed thirty-two (32) square feet in area.
2. Such signs shall not be erected earlier than 30 days prior to the event or series of events, and shall be removed not later than 7 days following the conclusion of the event or series.
3. Such signs may be located on a lot or lots owned by Federal, State or local governmental agencies with permission of the lot owner, not including public rights of way unless specifically authorized by the agency having jurisdiction.

### **4. Regulatory Signs**

Permanent signs erected by a governmental agency regulating vehicular or pedestrian traffic, or designating or giving directions to streets, schools, historic sites, community facilities or public buildings, posting rules of use for a facility, identifying or interpreting features of a site, sports scoreboards, and similar signs are allowed and do not require a permit.

Signs erected on a lot containing a public facility owned by a governmental agency may include sponsor identification and advertising, provided that the advertising is sized, located and oriented so as to be viewed primarily by patrons of the public facility, and not by the general public traveling on public streets or adjoining

*East Side*

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