

ORDINANCE #529
**AN ORDINANCE AMENDING A PORTION OF THE CITY CODE TO INCLUDE A
DEFINITION/DEVELOPMENT STANDARDS FOR A CHURCH WITHIN THE CITY
OF ST. CHARLES**

THE COUNCIL OF THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Upon application for amendment initiated by the City Council, after public hearing duly noticed and held, and upon recommendation of the Planning and Zoning Commission, Chapter 152, known as the Zoning portion of the City Code of St. Charles, is hereby amended as follows:

The Zoning Code of the City of St. Charles as described in Section 152.17 (R-1 One and Two-Family Residence and Single-Family Attached District) and Section 152.20 (R-3 Mixed Use Residential) of the City Code, establishing a definition and development standards for Section 152.02 (Definitions) for “Church/ Religious Institution/Place of Worship”.

Definition

CHURCH / RELIGIOUS INSTITUTION / PLACE OF WORSHIP – A tax-exempt building, together with its accessory buildings and uses commonly associated with religious institutions, where persons regularly assemble and use principally for religious worship and which building, together with its accessory buildings and common religious uses, is maintained and controlled by a religious body organized to sustain public worship.

Development / Use Standards

- **Hours of operation** - Hours of operation for services shall be limited to between seven o'clock (7:00) AM and ten o'clock (10:00) PM, except for special seasonal religious activities commonly held by that religious group, which may be held at their traditional times.
- **Architectural control** - The building plan, including the site plan for the church shall be certified by an architect registered in the State of Minnesota, stating that he has personally viewed the site and has designed the building to fit the site as planned and to be harmonious with the neighboring buildings, topography and natural surroundings and in accordance with the purposes and objectives of the Zoning Code. To ensure the church / religious institution reflects the scale and character of the adjacent residential properties, the building materials of the church / religious institution shall be predominantly quality exterior materials, including brick, masonry, stone, stucco, textured concrete masonry units, steel siding, or vinyl. Concrete panels with a veneer of brick or masonry may be approved provided the material gives the appearance of one or more of the high quality building materials listed above. Stamped concrete panels will only be considered if they are finished with patterns and colors such that they appear to be brick or masonry.

- **Site plan** - At the time of an application, the applicant shall file three copies of a site plan for the church site in accordance with the following provisions: A plot plan which shall adequately illustrate existing and proposed parking area and spaces; garage locations; driveways; loading area; landscaping and screening including location, spacing, species and size of trees and shrubs, existing buildings, proposed buildings, dimensions of lot, parking areas, setbacks and distances between major elements of the use; existing topography and proposed final contours.
- **Bell towers, steeples, spires and similar structures** – Bell towers, steeples, spires and similar structures must meet the following standards:
 - (A) Height. The height of bell towers, steeples, spires and similar structures must not exceed 75 feet.
 - (B) Location. Bell towers, steeples, spires and similar structures must be located at least 25 feet from a side or rear property line and at least 25 feet from a front property line or property line abutting a public street.
- **Screening** - Where a church is adjacent to a dwelling residential zone, the church shall provide screening along the boundary adjacent to the residential use. Such screening shall consist of a solid fence or wall or equivalent as approved by the City Council when recommended by the Planning Commission no more than 6 feet in height, but shall not extend within 15 feet of any street or driveway. Such screening will not be required along the street.

FINDINGS OF FACT

1. The City’s Ordinance does not currently provide a definition for church/religious institution/place of worship.
2. The proposed definition and development standards was reviewed by City Legal Counsel, Planning Staff, and City Council for formal approval.

Section 2. This Ordinance shall take effect and be in force thirty (30) days after its passage, approval, and publication.

Passed and adopted by unanimous vote of the City Council of St. Charles, Minnesota this 13th day of October, 2009.

William J. Spitzer, Mayor

ATTEST:

Nick Koverman, City Administrator