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AN ORDINANCE

Repealing Title 6, Chapter 13
(Zoning Amendment Committee)

WHEREAS, on April 2, 1991, citizens of Evanston passed a referendum to reduce the size of the City Council from eighteen to nine members; and

WHEREAS, the reduction in the size of the City Council will occur effective upon the election of April, 1993; and

WHEREAS, the reduction in the size of the City Council is a fundamental change in the manner in which the City will conduct its business and affairs; and

WHEREAS, as a result of the reduction, it is necessary that the functions and purposes of certain city boards and commissions be consolidated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON:

SECTION 1: That Title 2 of Chapter 8 of the City Code of City of Evanston establishing the Zoning Amendment Committee is hereby amended by adding the following:

2-8-10: AMENDMENTS TO ZONING ORDINANCE: PLAN
COMMISSION: The regulations imposed and the districts created by this ordinance may be amended from time to time by ordinance, but no such amendment shall be made without a public hearing before the Plan Commission, which shall report its findings and recommendations to the City Council.

2-8-11:

PROCEDURE FOR AMENDING ZONING ORDINANCE: The Plan Commission shall consider from time to time any amendment to regulations imposed and districts created under this Zoning Ordinance when (a) a properly prepared petition has been presented to the Commission, or (b) a proposed amendment has been referred to the Commission by the City Council. The Commission shall conduct public hearings with respect to any and all such proposed amendments, and all hearings conducted by the Committee shall be open to the public.

Notice shall be given of the time and place of every public hearing not more than thirty (30) days nor less than fifteen (15) days before the hearing, by publishing a notice at least once in one or more newspapers published in the City. If no newspaper is published therein, then in one or more newspapers having a general circulation in the City.

All proceedings shall be recorded on tape and a transcript shall be prepared promptly. Any absent member who certified that he or she has read the transcript or listened to the tape of the proceedings, may vote on that matter.

2-8-12:

PETITIONS FOR AMENDMENTS: Written petitions proposing amendments and requesting the Plan Commission and the City Council to consider such amendments may be made:

- (A) By any governmental agency, in such manner and pursuant to such procedure as the City Council may deem appropriate; or
- (B) By any person, firm, corporation or organization, but only in the manner and pursuant to the procedure hereinafter set forth:
 - 1. Prior to preparation of a petition, a prospective petitioner should (but is not required to) consult informally with the Planning and Zoning Department.
 - 2. Form of Petition: The petition shall be made in duplicate, shall be in such form and accompanied by such information as shall be prescribed from time to time by the Plan Commission, but shall in any event include the following:
 - a. The petitioner's name, address and interest in the petition and the name, address and interest of every person, firm, corporation or governmental agency represented by the petitioner in the petition;

b. The precise wording of the proposed amendment, together with concise explanation of its presumed effect;

c. A statement containing all the circumstances, factors and arguments that the petitioner offers in support of the proposed amendment;

d. In the event that the proposed amendment would result in the reclassification of any property:

(1) A statement specifying the names of the owners of the land proposed to be reclassified (the owners of a majority of the land must be parties to said petition);

(2) The street address of the land proposed to be reclassified;

(3) A legal description of the land proposed to be reclassified;

(4) The present zoning classification and use of the land proposed to be reclassified;

3. Filing of Petition: A petition proposing an amendment shall be presented to the Director of Amendments and Appeals for filing. Said Director shall accept for filing all such petitions presented, except that:

a. A petition shall not be accepted for filing unless it meets the requirements of Section 6-13;

b. A petition, except a petition presented on behalf of a governmental agency, shall not be accepted for filing unless accompanied by payment of a fee as specified in Section 6-13-7;

c. A petition proposing the reclassification of any property shall not be accepted for filing within twelve (12) months after the Plan Commission shall have held a public hearing on any other proposed amendment that would, if adopted, have resulted in the same reclassification of all or any part of the same property.

4. Disposition of Petitions: The Director of Amendments and Appeals shall transmit all accepted petitions or copies to the Plan Commission.

2-8-13: RECOMMENDATIONS TO PLANNING AND DEVELOPMENT COMMITTEE: Upon the completion of the public hearing relating to any proposed amendment, the Plan Commission shall report its recommendations to the Planning and Development Committee. In considering such recommendations, due allowance shall be made by the Committee for existing conditions, for the conservation of property values, for the direction of building development to the best advantage of the entire City, and for the uses to which the property affected is being devoted at the time and no change shall be recommended unless it is required for the public good.

No amendment to this Ordinance shall be made by the City Council without prior public hearing by the Plan Commission nor without a report of recommendations first having been made by the Commission to the Planning and Development Commission, and every such report shall be accompanied by findings of fact specifying the reasons for the recommendations.

2-8-14: OPPOSITION TO AMENDMENT: In case a written protest against any proposed amendment of the regulations or districts, signed and acknowledged by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, if filed with the City Clerk, the amendment shall not be passed except upon a favorable vote of two-thirds (2/3) of all the Aldermen elected to the City Council.

2-8-15: FEES: Any petition for amendment to the text or map of the Zoning Ordinance shall be accompanied by a fee to be established from time to time by ordinance from the Planning and Development Committee.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force

and effect from and after May 11, 1993.

Introduced: March 8, 1993

Adopted: March 22, 1993

Approved: *[Signature]*, 1993
March 23, 1993
Mayor pro tem

ATTEST:
[Signature]
City Clerk

Approved as to form:
[Signature]
Corporation Counsel

