

4-18-94

40-0-95

AN ORDINANCE

Amending the Zoning Ordinance to Add
Child Residential Care Homes as Special
Uses in All Residential Districts

WHEREAS, The Plan Commission held public hearings on March 8, 1995 and April 5, 1995, pursuant to proper notice, in case number ZPC 94-0008(T), a petition by Boys Hope of Illinois, an Illinois not-for-profit corporation, for amending Sections 6-4-4-1, 6-18-3, and any other related Sections of the Zoning Ordinance, regarding Residential Care Homes Category I and II and Child Residential Care Homes; and

WHEREAS, based upon the testimony presented, the Plan Commission issued a written decision pursuant to Section 6-3-4-6(E) of the Zoning Ordinance recommending that the Ordinance be amended to define Child Residential Care Home, list such Homes as special uses in all Residential Zoning Districts and to require that such Homes be licensed and separated by a distance of nine hundred (900') feet;

WHEREAS, the City Council finds that the 900 foot distancing requirement serves to promote integration into the community of institutional housing for adolescents and helps to achieve this goal by preventing the

clustering into one area of such homes, and

NOW, THEREFORE, be it ordained by the City Council of the City of Evanston, Cook County, Illinois:

SECTION 1: The City Council hereby accepts the Plan Commission's recommendation in case number ZPC 94-0008(T) and grants the petition of Boys Hope of Illinois for amendments to the text of the Zoning Ordinance regarding Child Residential Care Homes, namely:

a. Section 6-18-3 is amended by adding, in alphabetical order, a definition of "Child Residential Care Home", to read as follows:

SECTION 6-18-3: DEFINITIONS

CHILD RESIDENTIAL CARE HOME: A dwelling unit shared by four to eight (4-8) unrelated persons, under the age of twenty-one (21) years, exclusive of staff, who require assistance and/or supervision while pursuing a primary or secondary education curriculum, and who reside together in a family-type environment as a single housekeeping unit. Child Residential Care Home shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or who are criminal or juvenile offenders serving on work release, probationary or court-ordered supervisory programs for offenders; nor a dormitory, fraternity/sorority dwelling, boarding house, rooming house or nursing home.

b. Section 6-4-4 is amended by adding "Child Residential Care Homes" to the title in Section 6-4-4, to read as follows:

6-4-4: RESIDENTIAL CARE HOMES AND CHILD RESIDENTIAL CARE HOMES

c. Sections 6-4-4-1 and 6-4-4-2 are amended to add Child Residential Day Care Homes, to read as follows:

6-4-4-1 PURPOSE: The purpose of this Section is to permit the establishment of residential care homes for the disabled and child residential care homes, as defined in Chapter 18, "Definitions", subject to licensing procedures, and, where appropriate, special use standards.

6-4-4-2: LICENSE REQUIRED: No residential day care home or child residential care home shall be established, operated or maintained within the City without a valid license issued by the City of Evanston Department of Health and Human Services pursuant to the requirements of Title 8 of the City Code.

d. A new Section 6-4-4-3 is added to read as follows:

6-4-4-3: CHILD RESIDENTIAL CARE HOMES AUTHORIZED AS SPECIAL USES IN RESIDENTIAL DISTRICTS:

Child residential care homes may be permitted, as a special use, upon the issuance of a license pursuant to Section 6-4-4-2, in the R1, R2, R3, R4, R5 and R6 Districts: provided, however, that child residential care homes are not located within nine hundred feet (900') of another child residential care home, residential care home, transitional treatment facility, or an existing child care institution.

e. That existing Sections 6-4-4-3 through 6-4-4-6 are renumbered as 6-4-4-4 through 6-4-4-7, respectively.

f. That Sections 6-8-2-4, 6-8-3-3, 6-8-4-3, 6-8-5-3, 6-8-6-3, and 6-8-7-3 are amended to list the following as a special use in the R1, R2, R3, R4, R5, and R6 Residential Districts:

CHILD RESIDENTIAL CARE HOME

SECTION 2: That the text amendments are consistent with the standards for amendments set forth in Section 6-3-4-5, in that:

a. The amendments are consistent with the Comprehensive

General Plan in that Child Residential Care Homes will provide adaptive reuse of large, single-family homes that may otherwise be unmarketable.

b. City and Municipal services are adequate to serve such Homes, in that Child Residential Care Homes shall be limited to no more than eight (8) occupants, excluding staff, making them similar in size to traditional households.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: May 22, 1995

Adopted: June 12, 1995

Approved: June 16, 1995

Lorraine H. Norton

Mayor

ATTEST:

Kirsten Lewis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel