

02/12/2003

114-O-02

**AN ORDINANCE**

**Amending the Text of the Zoning Ordinance in Section 6-18-3 Regarding Definitions of Convenience Store, Temporary Use, and Open Sales Lot and Listing Open Sales Lot as a Special Use**

WHEREAS, the Plan Commission held a public hearing on September 25, 2002 pursuant to proper notice in case no. ZPC 02-03 (T) to consider amendments to the Zoning Ordinance regarding regulation of convenience stores and land uses devoted to the retail sale of goods or the retail provision of services to consumers and having floor areas less than existing standards or hours of operation longer than currently allowed; and

WHEREAS, the Plan Commission, after hearing testimony and receiving other evidence, made a written record and findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the subject amendments met the standards for amendments to the text of the Zoning Ordinance; and

WHEREAS, the Planning and Development Committee of the City Council considered and adopted the Plan Commission's record and findings at its November 11, 2002, November 25, 2002, December 16, 2002, and January 13, 2003, meetings and recommended approval of the said text amendments and listing of Open Sales Lot as a special use; and

WHEREAS, the City Council considered the records and recommendations of the Plan Commission and the Planning and Development Committee at its

November 11, 2002, November 25, 2002, December 16, 2002, January 13, 2003, January 27, 2003 and February 10, 2003 meetings, and

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

**SECTION 1:** That Section 6-18-3 of the Evanston City Code of 1979, as amended, be, and it hereby is, further amended by revising the definitions of "convenience store", and "use, temporary" and by adding a new definition for "open sales lot" in appropriate alphabetical order:

**CONVENIENCE STORE:** Any food store establishment having a building size or occupying a sales floor space under three thousand two hundred (3,200) square feet.

**OPEN SALES LOT:** Any zoning lot or portion of a zoning lot used for retail sales in which said sales or the inspection of merchandise by prospective purchasers predominantly occurs outside of an area enclosed by walls. Open sales lot does not include the following uses: uses allowed an/or regulated in §6-4-8-3, Permitted Temporary Use Regulations; automobile and recreational vehicle sales; sales of plants for landscaping or gardening; the Farmers' Market as defined and regulated by Title 3, Business Regulations, Chapter 25, Farmers' Market of this City Code.

**USE, TEMPORARY:** A land use of a duration less than 90 days or as listed, allowed and regulated in §6-4-8-3.

**SECTION 2:** That the following Sections of the Zoning Ordinance, Title 6 of the City Code add "open sales lot" as a listed special use in the designated Zoning Districts:

- a. Section 6-9-2-3 (B1 District)
- b. Section 6-9-3-3 (B2 District)
- c. Section 6-9-4-3 (B3 District)
- d. Section 6-10-2-3 (C1 District)
- e. Section 6-10-3-3 (C1a District)
- f. Section 6-10-4-3 (C2 District)
- g. Section 6-11-2-3 (D1 District)
- h. Section 6-11-3-4 (D2 District)
- i. Section 6-11-4-3 (D3 District)

- j. Section 6-11-5-3 (D4 District)
- k. Section 6-12-2-3 (RP District)
- l. Section 6-14-2-3 (L1 District)
- m. Section 6-14-3-3 (L2 District)
- n. Section 6-14-4-3 (L3 District)
- o. Section 6-15-2-3 (O District)

**SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** That this ordinance shall be in full force and effect upon passage and approval.

Introduced: January 13, 2003

Adopted: February 10, 2003

Approved: February 13, 2003

Lorraine H. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form: [Signature]

Corporation Counsel

