

11/15/2004

115-O-04

AN ORDINANCE

**Amending Section 6-3-6-5, Section 6-3-8-3, and
Section 6-15-10-11 of the Zoning Ordinance
Regarding Impervious Surface Lot Coverage**

WHEREAS, the Plan Commission held a public hearing on November 3, 2004 in case number ZPC 04-12 T, pursuant to proper notice, to consider amendments to the Zoning Ordinance in Section 6-3-6-5, "Site Development Allowances"; Section 6-3-8-3, "Authorized Variations"; and Section 6-15-10, "Lot Coverage"; and other Sections of the Zoning Ordinance regarding impervious surface lot coverage; and

WHEREAS, the Plan Commission, after hearing testimony and receiving other evidence, made a verbatim record and findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the amendments to the Zoning Ordinance set forth in Sections 2, 3, and 4 of this Ordinance 115-O-04 met the standards for text amendments and recommended City Council approval thereof; and

WHEREAS, the Planning and Development Committee of the City Council considered and adopted the Plan Commission's findings at its November 22, 2004 meeting and recommended approval thereof; and

WHEREAS, the City Council considered and adopted the respective records and recommendations of the Plan Commission and the

Planning and Development Committee at its November 22, 2004 and December 13, 2004 meetings,

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

SECTION 1: That the above recitations are found as fact and incorporated herein.

SECTION 2: That Section 6-3-6-5 of the Zoning Ordinance, Evanston City Code of 1979, as amended, be and it hereby is, further amended by adding a new subsection 6-3-6-5(G), to read as follows:

6-3-6-5(G) SITE DEVELOPMENT ALLOWANCES:

Subject to the specific standards and limitations established for planned developments in each zoning district, the Plan Commission may recommend approval of, and the City Council may grant, site development allowances for a planned development relative to the following features affecting bulk and density:

- (A) **Floor Area Ratio:** The overall floor area ratio of a planned development may exceed the maximum floor area ratio otherwise permitted in the zoning district.
- (B) **Height:** The maximum height permitted in the zoning districts may be increased in connection with a planned development.
- (C) **Location and Placement of Buildings:** The location and placement of buildings may vary from the requirements of the underlying regulations, provided, however, that such allowances are in harmony with surrounding development.
- (D) **Off-Street Parking and Loading:** The number and location of off-street parking and loading may vary from the requirements of this Ordinance.
- (E) **Number of Dwelling Units:** Increases may be granted in the number of dwelling units per lot area over that otherwise permitted in the underlying zoning district as an incentive for providing the benefits of a planned development.

(F) **Building Lot Coverage:** Increase may be granted in the maximum building lot coverage over that otherwise permitted in the underlying zoning district as an incentive for providing the benefits of a planned development.

(G) **Impervious Surface Coverage:** Increase may be granted in the maximum allowed impervious surface coverage over that otherwise permitted in the underlying zoning district as an incentive for providing the benefits of a planned development.

SECTION 3: That Section 6-3-8-3(A) and Section 6-3-8-3(D)4 of the Zoning Ordinance are hereby amended to read as follows:

6-3-8-3 AUTHORIZED VARIATIONS:

The following variations from this Ordinance are authorized:

(A) **Minor Variations:** Minor Variations consisting of the following types shall be for single-family and two-family uses only and maybe granted up to a maximum of thirty-five percent (35%).

1. Front, side, and rear yards and setbacks.
2. Height.
3. Minimum setbacks between principal and accessory structures.
4. Other accessory structure requirements.
5. Lot width and depth.
 - a. Width.
 - b. Depth.
6. Gross lot coverage including impervious surface.
7. Dormer size and location.
8. Modification of a residence to meet the special needs of the disabled. (Ord. 42-O-96).

(B) **Fence Variations:** Variations from the requirements for fences, set forth in Section 6-4-6-7 of this Ordinance, "Fence Regulations", maybe granted subject to the standards and conditions of subsection 6-3-8-12(B) and Section 6-3-8-13 of this Chapter.

(C) **Family Necessity Variations:** The types of minor variations listed in subsection (A) of this Section may be granted in excess of the maximum of twenty percent (20%) for single-family and two-family uses and residential care homes only, subject to the procedures and standards set forth in Section 6-3-8-7 and subsection 6-3-8-11(D) of this Chapter respectively in order to:

1. Modify a residence in order to meet the special living needs of the disabled.
2. Modify a residence in order to provide space for an elderly parent to live with the family of his or her child.
3. Modify a residence to accommodate a growing family or to alleviate an inconvenience.

(D) **Major Variations:** "Major Variations" shall be defined as all variations other than minor variations and fence variations, and shall be limited to the following:

1. Yards and setbacks.
2. Height.
3. Lot size, width and depth (including flag lots).
4. Lot coverage including impervious surface and/or floor area ratio.
5. Off-street parking and loading.
6. Home occupations.

SECTION 4: That Section 6-15-10-11 of the Zoning Ordinance are hereby amended to read as follows:

6-15-10-11 LOT COVERAGE:

The maximum building lot coverage in the oH District, including accessory structures is fifty-five percent (55%). The maximum impervious surface ratio in the oH District is seventy percent (70%).

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: November 22, 2004

Adopted: December 13, 2004

Approved:

December 14, 2004

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris
Mary P. Morris, City Clerk

Approved as to form:
[Signature]
Corporation Counsel

