

48-O-08

AN ORDINANCE

**Amending Section 6-9-2-3 of the Zoning Ordinance
to Add "Dwelling – Single-Family, Detached"
to the List of Special Uses Allowed
in the B1 Business District**

WHEREAS, on December 12, 2007, pursuant to proper notice, the Plan Commission held a public hearing in case no. ZPC 07-06-T to consider amending the text of Section 6-9-2-3 of the Evanston City Code of 1979, as amended ("the City Code"), to add single-family detached residences to the list of Special Uses permitted in the B1 Business District, received testimony, made a verbatim transcript, and referred the matter to the Zoning Committee of the Plan Commission; and

WHEREAS, on January 9, 2008, pursuant to proper notice, the Zoning Committee of the Plan Commission held a public hearing, received testimony, made a verbatim transcript, and recommended approval of the application for a text amendment to the Plan Commission; and

WHEREAS, on February 13, 2008, pursuant to proper notice, the Plan Commission held a public hearing, received testimony, made a verbatim transcript, found that the proposed amendments met the standards for text amendments to Title 6 of the City Code, as amended ("the Zoning Ordinance"), and recommended City Council approval thereof; and

WHEREAS, at its April 28, 2008, and May 12, 2008, meetings, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. ZPC 07-06-T and recommended City Council approval thereof; and

WHEREAS, at its May 27, 2008, meeting, the City Council considered and adopted the respective records and recommendations of the Plan Commission and the Planning and Development Committee,

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

SECTION 1: That Section 6-9-2-3 of the Zoning Ordinance, as amended, is hereby further amended to read as follows:

6-9-2-3: SPECIAL USES:

The following uses may be allowed in the B1 District, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

- Bed and breakfast establishments
- Boarding house
- Convenience store
- Daycare center – adult
- Daycare center – child
- Dwelling – single family detached
- Dwelling – multiple-family
- Food store establishment
- Funeral services excluding on site cremation
- Government institutions
- Membership organization
- Open sales lot
- Planned development
- Public utility
- Residential care home – category II
- Restaurant – type 2 (excluding accessory drive-through facilities)

Uses permitted pursuant to Section 6-9-2-2 of this Chapter and this Section exceeding seven thousand five hundred (7,500) square feet.

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

SECTION 3: That if any provision of this Ordinance 48-O-08 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 4: That this Ordinance 48-O-08 shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: May 12, 2008

Approved:

Adopted: May 27, 2008

June 2, 2008

Edmund B. Moran, Jr.
Edmund B. Moran, Jr., Mayor Pro Tem

Attest:

Mayre Press
Mayre Press, Deputy City Clerk

Approved as to form:

Elke Tober-Purze
Elke Tober-Purze, Interim
First Assistant Corporation Counsel