

6/9/2009

43-O-09

AN ORDINANCE

**Amending the Text of Subsection 6-9-5-7 (H)
of the Zoning Ordinance,
“Yard Requirements” for the B1a Business District**

WHEREAS, on March 25, 2009, and May 13, 2009, the Plan Commission held public hearings, pursuant to proper notice, regarding case no. ZPC 09-PLND-0014 (A-1) to consider an amendment to the text of Title 6 of the Evanston City Code of 1979, as amended (“the Zoning Ordinance”), specifically Subsection 6-9-5-7 (H), “Yard Requirements” for the B1a Business District; and

WHEREAS, the Plan Commission received testimony and made verbatim transcripts and findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its meeting of July 27, 2009, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission, in case no. ZPC 09-PLND-0014 (A-1) and recommended City Council approval thereof; and

WHEREAS, at its meeting of August 10, 2009, the City Council considered and adopted the 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 the foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: That Subsection 6-9-5-7 (H) of the Zoning Ordinance is hereby amended to read as follows:


(H) Rear yard when not abutting nonresidential district Building, fifteen feet (15'); parking, five feet (5')

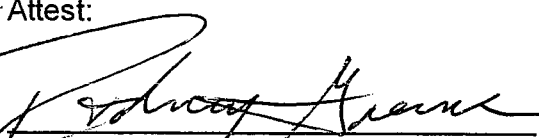
SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.


SECTION 4: That if any provision of this ordinance 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 5: 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: July 27, 2009 Approved:
Adopted: August 10, 2009 August 12, 2009


Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Approved as to form:

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