

1/25/2010  
1/11/2010  
12/3/2009

**122-O-09**

**AN ORDINANCE**

**Amending Various Portions of the Zoning Ordinance  
Relating to the Creation of the "Resale Establishment" Use**

WHEREAS, on December 9, 2009, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 09-PLND-0072 to consider various amendments to the text of Title 6 of the Evanston City Code of 1979, as amended (the "Zoning Ordinance"), relating to the creation of a Use known as "Resale Establishment"; 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 meetings of December 14, 2009, and January 11, 2010, the Planning and Development Committee of the City Council considered, amended, and adopted the findings and recommendation of the Plan Commission, as amended, in case no. 09-PLND-0072 and recommended City Council approval thereof; and

WHEREAS, at its meetings of January 11, 2010 and January 25, 2010, the City Council considered, amended, and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee as amended,

**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 Section 6-18-3 of the Zoning Ordinance, "Definitions", is hereby amended to include the following:

**RESALE ESTABLISHMENT:** A building, property, or activity, the principal use or purpose of which is the resale of used clothing, furniture, and/or other goods, products or merchandise directly to the consumer. "Resale establishment" shall not include businesses that sell primarily cars, antiques, books, recorded music, and/or artwork.

**SECTION 3:** That Subsection 6-9-2-3 of the Zoning Ordinance, "Special Uses" in the B1 District, is hereby amended to include the following:

"Resale establishment."

**SECTION 4:** That Subsection 6-9-3-3 of the Zoning Ordinance, "Special Uses" in the B2 District, is hereby amended to include the following:

"Resale establishment."

**SECTION 5:** That Subsection 6-9-4-3 of the Zoning Ordinance, "Special Uses" in the B3 District, is hereby amended to include the following:

"Resale establishment."

**SECTION 6:** That Subsection 6-9-5-3 of the Zoning Ordinance, "Special Uses" in the B1a District, is hereby amended to include the following:

"Resale establishment."

**SECTION 7:** That Subsection 6-10-2-3 of the Zoning Ordinance, "Special Uses" in the C1 District, is hereby amended to include the following:

"Resale establishment."

**SECTION 8:** That Subsection 6-10-3-3 of the Zoning Ordinance, "Special Uses" in the C1a District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 9:** That Subsection 6-10-4-3 of the Zoning Ordinance, "Special Uses" in the C2 District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 10:** That Subsection 6-11-2-3 of the Zoning Ordinance, "Special Uses" in the D1 District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 11:** That Subsection 6-11-3-4 of the Zoning Ordinance, "Special Uses" in the D2 District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 12:** That Subsection 6-11-4-3 of the Zoning Ordinance, "Special Uses" in the D3 District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 13:** That Subsection 6-11-5-3 of the Zoning Ordinance, "Special Uses" in the D4 District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 14:** That Subsection 6-11-2-3 of the Zoning Ordinance, "Special Uses" in the RP District, is hereby amended to include the following:  
"Resale establishment."

**SECTION 15:** That Subsection 6-13-4-3 of the Zoning Ordinance, "Special Uses" in the MXE District, is hereby amended to include the following: "Resale establishment."

**SECTION 16:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 17:** 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 18:** 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: December 14, 2009

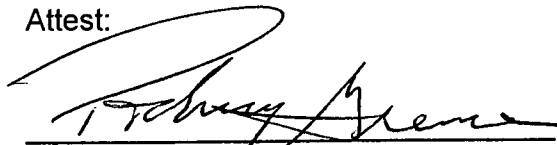
Approved:

Adopted: January 25, 2010

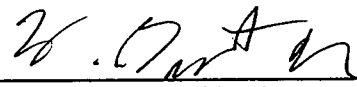
January 27, 2010

  
Elizabeth B. Tisdahl, Mayor

Attest:

  
Rodney Greene, City Clerk

Approved as to form:

  
W. Grant Farrar, City Attorney