

67-O-11

AN ORDINANCE

**Amending Various Portions of the Zoning Ordinance
Relating to the Creation of the
“Domestic Animal Daycare Center” and “Kennel” Uses**

WHEREAS, on July 13, 2011, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 10PLND-0112 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 Uses known as “Daycare Center – Domestic Animal” and “Kennel”; and

WHEREAS, the Plan Commission received testimony and made written 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 August 8, 2011, 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. 10PLND-0112 and recommended City Council approval thereof; and

WHEREAS, at its meeting of September 12, 2011, 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:

DAYCARE CENTER – DOMESTIC ANIMAL: Any establishment for which the principal use or purpose is the housing of domestic animals for periods of time that shall neither exceed twelve (12) hours in any twenty-four (24) hour period, nor include overnight stays. Multiple animals shall be permitted outside on the premises when accompanied by staff and only between the hours of 8:30 AM and 4:30 PM on any day. Individual animals shall be permitted outside on the premises to relieve themselves at any time during the Center's hours of operation when accompanied by staff. Prior to beginning operation of any such Center, the operator shall submit to the Zoning Administrator a contingency plan for those times when an owner fails to claim his/her animal(s) before the Center closes for the day, and, thereafter, comply with said plan. The operator of any such Center shall comply with the applicable regulations of Title 8, Chapter 4, and Title 9, Chapter 4 of the City Code, as amended.

KENNEL: Any establishment for which the principal use or purpose is the housing of domestic animals, including overnight stays. Multiple animals shall be permitted outside on the premises when accompanied by staff and only between the hours of 8:30 AM and 4:30 PM on any day. Individual animals shall be permitted outside on the premises to relieve themselves at any time during the Center's hours of operation when accompanied by staff. Prior to beginning operation of any such Kennel, the operator shall submit to the Zoning Administrator a contingency plan for those times when an owner fails to claim his/her animal(s), and, thereafter, comply with said plan. The operator of any such Kennel shall comply with the applicable regulations of Title 8, Chapter 4, and Title 9, Chapter 4 of the City Code, as amended.

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:

Daycare Center - Domestic Animal
Kennel

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:

Daycare Center - Domestic Animal
Kennel

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:

Daycare Center - Domestic Animal
Kennel

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:

Daycare Center - Domestic Animal
Kennel

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:

Daycare Center - Domestic Animal
Kennel

SECTION 8: That Subsection 6-10-4-3 of the Zoning Ordinance, "Special Uses" in the C2 District, is hereby amended to include the following:

Daycare Center - Domestic Animal
Kennel

SECTION 9: That Subsection 6-13-3-3 of the Zoning Ordinance, "Special Uses" in the MUE District, is hereby amended to include the following:

Daycare Center - Domestic Animal
Kennel

SECTION 10: That Subsection 6-13-4-3 of the Zoning Ordinance, "Special Uses" in the MXE District, is hereby amended to include the following:

Daycare Center - Domestic Animal
Kennel

SECTION 11: That Subsection 6-14-2-3 of the Zoning Ordinance, "Special Uses" in the I1 District, is hereby amended to include the following:

Daycare Center - Domestic Animal
Kennel

SECTION 12: That Subsection 6-14-3-3 of the Zoning Ordinance, "Special Uses" in the I2 District, is hereby amended to include the following:

Daycare Center - Domestic Animal
Kennel

SECTION 13: That Subsection 6-14-4-3 of the Zoning Ordinance, "Special Uses" in the I3 District, is hereby amended to include the following:

Daycare Center - Domestic Animal
Kennel

SECTION 14: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 15: 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 16: 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: August 8, 2011

Approved:

Adopted: September 12, 2011

September 14, 2011

Elizabeth B Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, Corporation Counsel

