

38-O-13

AN ORDINANCE

**Amending the Text of the Zoning Ordinance
with Regards to the Definition of the "Micro-Distillery" Use**

WHEREAS, on, March 13, 2013, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 13PLND-0014 to consider an amendment to the text of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"), relating to the Use known as "Micro-Distillery," 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 April 1, 2013, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 13PLND-0014 and recommended City Council approval thereof; and

WHEREAS, at its meetings of April 1 and April 22, 2013, 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, THAT:**

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: The definition of "Micro-Distillery" set forth in Section 6-18-3 of the Zoning Ordinance is hereby amended to read as follows:

MICRO-DISTILLERY: A facility that produces alcoholic beverages in quantities not to exceed thirty-five thousand (35,000) gallons per year and includes an accessory tasting room. A tasting room allows customers to taste samples of products manufactured on-site and purchase related sales items. Sales of alcohols manufactured outside the facility are prohibited.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: 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: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 6: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: April 22, 2013

Approved:

Adopted: May 13, 2013

May 15, 2013

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

