

113-O-13

AN ORDINANCE

**Amending Portions of the Zoning Ordinance
to Allow Commercial Parking Lots In the B3 District
Pursuant to Special Use Permits**

WHEREAS, on October 9, 2013, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 13PLND-0087 to consider various amendments to the text of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"), to allow Commercial Parking Lots in the B3 Business District pursuant to Special Use Permits; 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 October 28, 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-0087 and recommended City Council approval thereof; and

WHEREAS, at its meetings of October 28 and November 11, 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: Subsection 6-9-4-3 of the Zoning Ordinance, "Special Uses" in the B3 District, is hereby amended to include "Commercial Parking Lots."

SECTION 3: Subsection 6-9-4-7 of the Zoning Ordinance, "Yard Requirements" in the B3 District, is hereby amended to read as follows:

6-9-4-7: YARD REQUIREMENTS:

The yard requirements for the B3 District are as follows:

(A)	Front yard	Build to front property line required, meaning no less than seventy percent (70%) of building at grade is within five inches (5") of front property line; open and unenclosed accessory parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right-of-way; Commercial Parking Lots, landscaped setback required subject to Site Plan review as set forth in Chapter 3 of this Title.
(B)	Side yard when abutting street	Build to side property line required, meaning no less than seventy percent (70%) of building at grade is within five inches (5") of side property line; open and unenclosed accessory parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right-of-way; Commercial Parking Lots, landscaped setback required subject to Site Plan review as set forth in Chapter 3 of this Title.
(C)	Side yard when abutting residential district	Building, fifteen feet (15'); parking, ten feet (10')
(D)	Rear yard when abutting residential district	Building, fifteen feet (15'); parking, ten feet (10')
(E)	Side yard when abutting non-residential district	Building, none; parking, five feet (5')
(F)	Rear yard when abutting non-residential district	Building, ten feet (10'); parking, five feet (5')

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: 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 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 7: 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: October 28, 2013

Approved:

Adopted: November 11, 2013

November 13, 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