

15-O-14

AN ORDINANCE

**Amending the Text of the Zoning Ordinance
with Regards to Distance of Air Conditioning Equipment from Lot Lines**

WHEREAS, on, January 8, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 13PLND-0115 to consider an amendment to the text of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"), relating to locations of air conditioning equipment; 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 January 27, 2014, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 13PLND-0115 and recommended City Council approval thereof; and

WHEREAS, at its meetings of January 27 and February 10, 2014, 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: Section 6-4-6-9 of the Zoning Ordinance is hereby amended to read as follows:

6-4-6-9. SPECIAL REGULATIONS APPLICABLE TO AIR CONDITIONING EQUIPMENT.

Air conditioning equipment requirements are as follows:

Required Yard	
Front Yard:	Prohibited
Interior Side Yard:	8' setback required; or 6' setback required when located within 2' of the principal structure and obscured from view by screening methods such as landscaping.
Interior Side Yard Abutting an Alley of at least 8' in width	8' setback required; or 4' setback required when located within 2' of the principal structure and obscured from view by screening methods such as landscaping.
Street Side Yard	4' setback required when located within 2' of the principal structure and obscured from view by screening methods such as landscaping.
Rear Yard (rearmost 30' of yard)	3' setback from all property lines (the same as other accessory structures in the required rear yard)

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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: January 27, 2014

Approved:

Adopted: February 10, 2014

February 12, 2014

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