

Effective Date: June 12, 2014

4/4/2014

5/28/2014

57-O-14

AN ORDINANCE

**Amending Portions of the Zoning Ordinance
to Establish the "Craft-Brewery" Use**

WHEREAS, on April 9, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 14PLND-0019 to consider various amendments to the text of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"), relating to the creation of the Use known as "Craft-Brewery," 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 with modifications; and

WHEREAS, at its meeting of May 12, 2014, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 14PLND-0019 and recommended City Council approval thereof; and

WHEREAS, at its meetings of May 12, 2014 and June 9, 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 6-18-3 of the Zoning Ordinance, "Definitions," is hereby amended to include the following:

CRAFT-BREWERY: A commercial facility that produces fermented malt beverages on site in quantities 0 to 930,000 gallons (30,000 barrels) per year and may include an accessory tasting room. Product sampling or retail sale as may be defined and regulated by Title 3, Chapter 4 of the City Code at the facility allows customers to taste samples of products manufactured on-site and purchase related sales items. Any sale of alcohol in the tasting room or otherwise in the facility which is manufactured outside the facility is prohibited. A Craft-Brewery does not include restaurants with accessory brewing facilities.

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

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

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

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

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

SECTION 8: Subsection 6-10-3-3 of the Zoning Ordinance, "Special Uses" in the C1a District, is hereby amended to include "Craft -Brewery."

SECTION 9: Subsection 6-10-4-3 of the Zoning Ordinance, "Special Uses" in the C2 District, is hereby amended to include "Craft -Brewery."

SECTION 10: Subsection 6-11-2-3 of the Zoning Ordinance, "Special Uses" in the D1 District, is hereby amended to include "Craft -Brewery."

SECTION 11: Subsection 6-11-3-4 of the Zoning Ordinance, "Special Uses" in the D2 District, is hereby amended to include "Craft -Brewery."

SECTION 12: Subsection 6-11-4-3 of the Zoning Ordinance, "Special Uses" in the D3 District, is hereby amended to include "Craft -Brewery."

SECTION 13: Subsection 6-11-5-3 of the Zoning Ordinance, "Special Uses" in the D4 District, is hereby amended to include "Craft -Brewery."

SECTION 14: Subsection 6-12-2-3 of the Zoning Ordinance, "Special Uses" in the RP District, is hereby amended to include "Craft -Brewery."

SECTION 15: Subsection 6-13-2-2 of the Zoning Ordinance, "Permitted Uses" in the MU District, is hereby amended to include "Craft -Brewery."

SECTION 16: Subsection 6-13-3-2 of the Zoning Ordinance, "Permitted Uses" in the MUE District, is hereby amended to include "Craft -Brewery."

SECTION 17: Subsection 6-13-4-2 of the Zoning Ordinance, "Permitted Uses" in the MXE District, is hereby amended to include "Craft -Brewery."

SECTION 18: Subsection 6-14-2-2 of the Zoning Ordinance, "Permitted Uses" in the I1 District, is hereby amended to include "Craft -Brewery."

SECTION 19: Subsection 6-14-3-2 of the Zoning Ordinance, "Permitted Uses" in the I2 District, is hereby amended to include "Craft -Brewery."

SECTION 20: Subsection 6-14-4-2 of the Zoning Ordinance, "Permitted Uses" in the I3 District, is hereby amended to include "Craft -Brewery."

SECTION 21: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 22: 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 23: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 24: 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: May 12, 2014

Approved:

Adopted: June 9, 2014

June 17, 2014

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

Michelle L. Masoncup
W. Grant Farrar, Corporation Counsel
Deputy City Attorney