

Effective Date: August 23, 2014

7/15/2014

6/3/2014

**81-O-14**

**AN ORDINANCE**

**Amending Portions of the Zoning Ordinance  
to Create the "Urban Farm," "Urban Farm, Rooftop," and  
"Neighborhood Garden" Uses**

**WHEREAS**, on June 11, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 14PLND-0059 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 "Urban Farm," "Urban Farm, Rooftop" and "Neighborhood Garden;" 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 July 28, 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-0059 and recommended City Council approval thereof; and

**WHEREAS**, at its meetings of July 28, 2014 and August 11, 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:

NEIGHBORHOOD GARDEN:	A principal use that provides space for people to grow plants for non-commercial purposes, such as beautification, education, recreation, or harvest, and is managed by a specific person or group responsible for maintenance and operations.
URBAN FARM:	An indoor or outdoor principal use that includes growing plant products for wholesale or retail sales and may include one (1) or more of the following: washing; packaging; storage. Typical Urban Farms may include growing beds, greenhouses, and orchards.
URBAN FARM, ROOFTOP:	A rooftop operation that includes growing plant products for wholesale or retail sales and may include one (1) or more of the following: washing; packaging; storage. Typical Rooftop Urban Farms may include growing beds, greenhouses, and orchards.

**SECTION 3:** Chapter 4 of the Zoning Ordinance is hereby amended by the enactment of a new Section 9 thereof, to read as follows:

**6-4-9: NEIGHBORHOOD GARDENS:**

A neighborhood garden is a principal use that provides space for people to grow plants for non-commercial purposes, such as beautification, education, recreation, or harvest, that is managed by a specific person or group responsible for maintenance and operations. The following general requirements shall apply to neighborhood gardens:

- (A) The person or group responsible for managing the garden shall be identified on each required annual application/registration form.
- (B) On-site processing and/or storage of plants or plant products are prohibited.

- (C) Outdoor storage of any kind is prohibited.
- (D) A fence and one (1) accessory structure for the storage of gardening tools and supplies, no larger than one hundred twenty square feet (120 sq. ft.) in area, shall be allowed on-site, provided the owner or operator first obtains a Certificate of Zoning Compliance or Building Permit for it/them.
- (E) Composting of plant material that is grown on site shall be permitted, except in the required front yard. All other composting is prohibited.
- (F) No incidental sales of plants or produce shall take place on site.
- (G) Neighborhood gardens shall be maintained so as not to encourage the harboring of vermin. Accumulations of weeds and/or rubbish is prohibited.

**SECTION 4:** Subsection 6-9-2-3 of the Zoning Ordinance, "Special Uses" in the B1 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 5:** Subsection 6-9-3-3 of the Zoning Ordinance, "Special Uses" in the B2 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 6:** Subsection 6-9-4-3 of the Zoning Ordinance, "Special Uses" in the B3 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 7:** Subsection 6-9-5-3 of the Zoning Ordinance, "Special Uses" in the B1a District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 8:** Subsection 6-10-2-3 of the Zoning Ordinance, "Special Uses" in the C1 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 9:** Subsection 6-10-3-3 of the Zoning Ordinance, "Special Uses" in the C1a District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 10:** Subsection 6-10-4-3 of the Zoning Ordinance, "Special Uses" in the C2 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 11:** Subsection 6-11-2-3 of the Zoning Ordinance, "Special Uses" in the D1 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 12:** Subsection 6-11-3-4 of the Zoning Ordinance, "Special Uses" in the D2 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 13:** Subsection 6-11-4-3 of the Zoning Ordinance, "Special Uses" in the D3 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 14:** Subsection 6-11-5-3 of the Zoning Ordinance, "Special Uses" in the D4 District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 15:** Subsection 6-12-2-3 of the Zoning Ordinance, "Special Uses" in the RP Research Park District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 16:** Subsection 6-13-2-3 of the Zoning Ordinance, "Special Uses" in the MU District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 17:** Subsection 6-13-3-3 of the Zoning Ordinance, "Special Uses" in the MUE District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 18:** Subsection 6-13-4-3 of the Zoning Ordinance, "Special Uses" in the MXE District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 19:** Subsection 6-14-2-3 of the Zoning Ordinance, "Special Uses" in the I1 District, is hereby amended to include "Urban Farm" and "Urban Farm, Rooftop."

**SECTION 20:** Subsection 6-14-3-3 of the Zoning Ordinance, "Special Uses" in the I2 District, is hereby amended to include "Urban Farm" and "Urban Farm, Rooftop."

**SECTION 21:** Subsection 6-14-4-3 of the Zoning Ordinance, "Special Uses" in the I3 District, is hereby amended to include "Urban Farm" and "Urban Farm, Rooftop."

**SECTION 22:** Subsection 6-15-2-3 of the Zoning Ordinance, "Special Uses" in the O1 Office District, is hereby amended to include "Urban Farm, Rooftop."

**SECTION 23:** Subsection 6-8-2-3 of the Zoning Ordinance, "Permitted Uses" in the R1 District, is hereby amended to include "Neighborhood Garden."

**SECTION 24:** Subsection 6-8-3-2 of the Zoning Ordinance, "Permitted Uses" in the R2 Residential, is hereby amended to include "Neighborhood Garden."

**SECTION 25:** Subsection 6-8-4-2 of the Zoning Ordinance, "Permitted Uses" in the R3 District, is hereby amended to include "Neighborhood Garden."

**SECTION 26:** Subsection 6-8-5-2 of the Zoning Ordinance, "Permitted Uses" in the R4 District, is hereby amended to include "Neighborhood Garden."

**SECTION 27:** Subsection 6-8-6-2 of the Zoning Ordinance, "Permitted Uses" in the R4a District, is hereby amended to include "Neighborhood Garden."

**SECTION 28:** Subsection 6-8-7-2 of the Zoning Ordinance, "Permitted Uses" in the R5 District, is hereby amended to include "Neighborhood Garden."

**SECTION 29:** Subsection 6-8-8-2 of the Zoning Ordinance, "Permitted Uses" in the R6 District, is hereby amended to include "Neighborhood Garden."

**SECTION 30:** Subsection 6-9-2-2 of the Zoning Ordinance, "Permitted Uses" in the B1 District, is hereby amended to include "Neighborhood Garden."

**SECTION 31:** Subsection 6-9-3-2 of the Zoning Ordinance, "Permitted Uses" in the B2 District, is hereby amended to include "Neighborhood Garden."

**SECTION 32:** Subsection 6-9-4-2 of the Zoning Ordinance, "Permitted Uses" in the B3 District, is hereby amended to include "Neighborhood Garden."

**SECTION 33:** Subsection 6-9-5-2 of the Zoning Ordinance, "Permitted Uses" in the B1a District, is hereby amended to include "Neighborhood Garden."

**SECTION 34:** Subsection 6-10-2-2 of the Zoning Ordinance, "Permitted Uses" in the C1 District, is hereby amended to include "Neighborhood Garden."

**SECTION 35:** Subsection 6-10-3-2 of the Zoning Ordinance, "Permitted Uses" in the C1a District, is hereby amended to include "Neighborhood Garden."

**SECTION 36:** Subsection 6-10-4-2 of the Zoning Ordinance, "Permitted Uses" in the C2 District, is hereby amended to include "Neighborhood Garden."

**SECTION 37:** Subsection 6-11-2-3 of the Zoning Ordinance, "Special Uses" in the D1 District, is hereby amended to include "Neighborhood Garden."

**SECTION 38:** Subsection 6-11-3-4 of the Zoning Ordinance, "Special Uses" in the D2 District, is hereby amended to include "Neighborhood Garden."

**SECTION 39:** Subsection 6-11-4-3 of the Zoning Ordinance, "Special Uses" in the D3 District, is hereby amended to include "Neighborhood Garden."

**SECTION 40:** Subsection 6-11-5-3 of the Zoning Ordinance, "Special Uses" in the D4 District, is hereby amended to include "Neighborhood Garden."

**SECTION 41:** Subsection 6-12-2-2 of the Zoning Ordinance, "Special Uses" in the RP District, is hereby amended to include "Neighborhood Garden."

**SECTION 42:** Subsection 6-13-2-2 of the Zoning Ordinance, "Permitted Uses" in the MU District, is hereby amended to include "Neighborhood Garden."

**SECTION 43:** Subsection 6-13-3-2 of the Zoning Ordinance, "Permitted Uses" in the MUE District, is hereby amended to include "Neighborhood Garden."

**SECTION 44:** Subsection 6-13-4-2 of the Zoning Ordinance, "Permitted Uses" in the MXE District, is hereby amended to include "Neighborhood Garden."

**SECTION 45:** Subsection 6-14-2-2 of the Zoning Ordinance, "Permitted Uses" in the I1 District, is hereby amended to include "Neighborhood Garden."

**SECTION 46:** Subsection 6-14-3-2 of the Zoning Ordinance, "Permitted Uses" in the I2 District, is hereby amended to include "Neighborhood Garden."

**SECTION 47:** Subsection 6-14-4-2 of the Zoning Ordinance, "Permitted Uses" in the I3 District, is hereby amended to include "Neighborhood Garden."

**SECTION 48:** Subsection 6-15-2-2 of the Zoning Ordinance, "Permitted Uses" in the O1 Office District, is hereby amended to include "Neighborhood Garden."

**SECTION 49:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 50:** 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 51:** This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

**SECTION 52:** 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: July 28, 2014

Adopted: August 11, 2014

Approved:

August 13, 2014

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene  
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel