

79-O-18

AN ORDINANCE

**Amending Various Portions of the City of Evanston Zoning Ordinance
Revising Minor Preservation Commission Review Procedures**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: Subsection 6-4-6-7(I), "Historic Fences," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

- (I) *Historic Fences:* No person shall erect, construct, install, or replace a fence accessory to an Evanston landmark or a use located within a designated historic district without first receiving a certificate of appropriateness.

SECTION 2: Subsection 6-15-11-1, "Purpose Statement," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-15-11-1. - PURPOSE STATEMENT.

The purpose of the historic structures, sites, and landmarks district is to promote the conservation, protection, restoration, rehabilitation, use, and overall enhancement of structures, sites, and districts within the City officially designated as having historic significance. The provisions of this Section 6-15-11 are intended to promote coordination between the regulations of this Chapter and City Code Title 2, Chapter 8, "Historic Preservation, as amended.

SECTION 3: Subsection 6-15-11-2, "Cross Reference on Zoning Map," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-15-11-2. - CROSS REFERENCE ON ZONING MAP.

The zoning map of the City of Evanston shall contain a footnote advising the user to refer to City Code Title 2, Chapter 8, "Historic Preservation, as amended, for applicability to a given property.

SECTION 4: Subsection 6-15-11-5, "Relationship to Special Uses, Minor Variations, Family Necessity Variations, and Major Variations," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-15-11-5. - RELATIONSHIP TO SPECIAL USES, MINOR VARIATIONS, FAMILY NECESSITY VARIATIONS, AND MAJOR VARIATIONS.

Whenever an application is made for a special use, minor variation, family necessity variation, or major variation relating to a historic landmark, or a property located in a local historic district that involves exterior alterations, the application shall be referred to the Preservation Commission that shall have the authority to make its recommendations to the appropriate decision making body. Excluded from the recommendation of the Preservation Commission are alterations where a certificate of appropriateness may be approved by the Zoning Administrator, as set forth Title 2, Chapter 8, "Historic Preservation," and the Preservation Commission Rules and Procedures. Recommendations relating to lot coverage, yard requirements, parking, building height, and/or landscaping shall be based upon its determination as to whether the special use or variation:

- (A) Is necessary and/or appropriate in the interest of historic conservation so as to not adversely affect the historical architecture or aesthetic integrity of the landmark or character of local historic districts; or
- (B) Is necessary to provide the owner a recoverable rate of return on the real property where the denial thereof would amount to a taking of the property without just compensation; and
- (C) Will not be materially detrimental to the public health, safety, and welfare, or injurious to property in the district or vicinity where the property is located.

SECTION 5: Subsection 6-15-11-6, "Historic Structures Subject to Evanston Preservation Commission Review," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-15-11-6. - HISTORIC STRUCTURES SUBJECT TO EVANSTON PRESERVATION COMMISSION REVIEW.

- (A) Changes to historic landmarks are subject to the regulations contained in the Historic Preservation Ordinance.
- (B) For the location of historic landmarks, see Title 2, Chapter 8, "Historic Preservation."

SECTION 5: The definition of "Evanston Landmark" in Section 6-18-3, "Definitions," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

EVANSTON LANDMARK:	A landmark of historic importance as defined in Title 2, Chapter 8, "Historic Preservation," as amended.
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SECTION 6: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and must be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

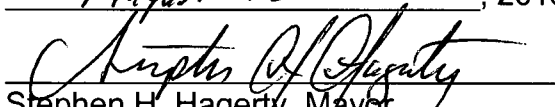
SECTION 8: This ordinance must be in full force and effect after its passage, approval, and publication in the manner provided by law.

SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity must 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.

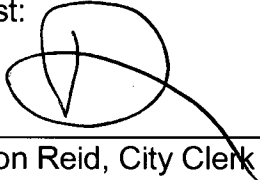
Introduced: July 9, 2018

Adopted: July 23, 2018

Approved:

August 13, 2018

 Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:



Michelle L. Masoncup, Corporation Counsel