

157-O-19

AN ORDINANCE

Amending the Municipal Use Exemption in Section 6-7-4

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

SECTION 1: Section 6-7-4, "Municipal Use Exemption", of the Evanston City Code of 2012, as amended, is hereby amended as follows:

6-7-4. – MUNICIPAL USE EXEMPTION

- (A) Any governmental or proprietary function owned or operated by the City shall be a permitted use in any district except where mandatory planned development minimum thresholds for that district are met.
- (B) Where the construction of buildings and structures owned or operated by the City do not comply with all of the requirements of the underlying district, the City Council may authorize that construction if:
 - (1) The noncompliance is deemed necessary and beneficial for the City to perform the desired services; and
 - (2) The City takes reasonable steps to minimize adverse impacts on surrounding properties resulting from such noncompliance.
- (C) If City Council approval is required for the project, said project shall be exempt from the variation review process. The Design and Project Review Committee shall review the planned construction prior to City Council taking action and provide recommendations regarding the minimization of potential adverse impacts by design, architectural treatment, screening, landscaping, and/or placement on the lot.
 - (1) Prior to City Council approval of the project, the City will provide notice of the Design and Project Review Committee meeting, through the use of a third party service, by first class mail to all owners of property within a five hundred (500) foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys, and other public ways from the area proposed for development whose addresses appear on the current tax assessment list as provided by the City. The failure of delivery of such notice, however, shall not invalidate any such review process.

- (2) Prior to the construction of the project, the City will provide notice of the Design and Project Review Committee meeting, through the use of a third party service, by first class mail to all owners of property within a five hundred (500) foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys, and other public ways from the area proposed for development whose addresses appear on the current tax assessment list as provided by the City. The failure of delivery of such notice, however, shall not invalidate any such review process.
- (D) Where mandatory planned development minimum thresholds for that district are met, the process for review of planned developments as stated in Section 6-3-6 of this Code shall be followed instead of the procedures described in this Section.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: The findings in this Ordinance, and the legislative Record, are declared to be prima facie evidence of the law of the City of Evanston, and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is ruled 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: Ordinance 157-O-19 shall be in full force and effect after its passage and approval.

Introduced: November 25, 2019

Approved:


Adopted: December 9, 2019

December 16, 2019


Stephen H. Hagerty, Mayor

Attest:

Approved as to form:



Devon Reid, City Clerk
Eduardo Gomez, Deputy City Clerk



Michelle L. Masoncup, Corporation
Counsel